MISSISSIPPI LAW JOURNAL

PROCEEDINGS

MISSISSIPPI STATE BAR

FIFTY-FOURTH ANNUAL MEETING

October, 1959

VOLUME XXX **NUMBER 5**

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BREED O. MOUNGER

Retiring President of Mississippi State Bar

PROCEEDINGS OF THE FIFTY-FOURTH ANNUAL MEETING OF THE

Mississippi State Bar

Held at Biloxi, Mississippi on the

12th and 13th of June, 1959

The convention was called to order in the Buena Vista Hotel in Biloxi, Mississippi, at 9:30 A. M., June 12, 1959, by Mr. Breed O. Mounger, President of the Mississippi State Bar.

The invocation was delivered by Reverend Father Patrick O'Neil of Biloxi.

An address of welcome was delivered by Mr. Jules A. Schwan, of Biloxi, and was responded to by Mr. Sherwood W. Wise of Jackson.

After the introduction of distinguished guests, President Mounger delivered the following address:

PRESIDENT'S ANNUAL ADDRESS

*Breed O. Mounger**

The theme of the entire year's work has been confined to two problems. First, the uplift of the individual attorney, as well as the Bar as a whole, and, second, the uplift of the attorney and Bar in public esteem. I have very cruelly said on past occasions that the first thing a man must appraise before the public will show him esteem, the very first thing he must be conscious of, is himself. Let us always be conscious of the fact that a client, if he is an educated and experienced man, well knows that if you can't take care of your own business with him, you certainly can't take care of his business with an adversary.

We have determined, too, that as a man continues his professional practice, he must realize that public esteem is based upon how well he has performed his tasks. There is a veil of protection afforded the man who is sufficient within himself economically. It is much easier for that man to indulge in the extension of the delicacy of ethics than the man who is not wealthy independent of his law practice. The man who faces you in a courtroom, your adversary, a fellow member of the Bar, and engages in unethical or questionable tactics is a man who is afraid, and has but one master, economic betterment. If a lawyer respects him-

*President of the Mississippi State Bar, Tylertown, Mississippi.

self and preserves his economic situation, he cannot only be ethical and honorable, but he can be gracious with his fellow attorney. If he fails to preserve his economic situation, he has to reach out on the fringes, for he is afraid.

The economic well-being of the Bar might well be said to have begun in definite earnest with the administration of John Satterfield. During John's tenure in office and the tenure of M. M. Roberts that followed it, those men were able to bring up, statistically and accurately, the income of the lawyers of Mississippi some 13 per cent. Mr. Roberts followed John Satterfield with a great administration based on the same theme, and then Will Henley came along with his contribution. Those three gentlemen have brought our overall compensation up quite a percentage upon the national scale, from the very base and degraded low that existed prior to that time.

Despite the increases in income that we have noted, let us remember that the income of people in the other fields has also increased. The welder, the mechanic, the common laborer and everyone else earns more today, and they have out-increased us. That portion, though we have shown an increase, of the national income presently dedicated for legal services and which goes to legal service is some 25 per cent of what it was twenty-five years ago. In other words, though we have shown increases, we, as a profession, are taking approximately one-fourth as much of the national income as we did twenty-five years ago. Don't let that frighten you. We are all still doing pretty well.

You are going to disagree with the result of the study of your your committees and officers. Why, whoever saw a lawyer who wouldn't disagree? He is trained to resist logic and that is a good weapon; he is trained like a fighter. When you reach his mind with logic, he lashes back instinctively. That is what it takes to make a good trial lawyer or a good advisory lawyer.

My conclusions, and the conclusions of several of your committees, are to the effect that a complete specialization is an answer to your dilemma. We can prove it. First, pick the most outstanding and successful member of your Bar and when you have, you know where his success came from—he has specialized. He has dominantly handled one particular type or side of litigation. If you trace a lawyer's economic success and welfare, if it be great, you will find that if he is a country general practitioner or an urban general practitioner, then you must look at his investments; you will find his advantages obtained there, not from his professional accumulations. If he has an accumulation from his profession, if he has shown himself to have done well in your community and in your Bar, you will find that he has specialized, and that the public has received him on that basis.

So, as a second method of proving that today we need specialization, let us look to the activities of the medical profession, from which we could learn a lesson. Taking a look at the medical profession we find that the general practitioner disappeared almost twenty-five years ago. If a person has the toe itch the doctor will say, "Gee whiz, that ain't itching, is it?" He says, "Yes, it is." The doctor says, "Well, I'll have to send you to a dermatologist in Jackson, Mobile, or New Orleans." That fellow can't get a little salve for his foot. So he goes to the city and finds a sign board in front of the specialist's office which says, "Weinberger, Sternberger, Hafferty, O'Reiley, Lee, Smith & Jones." In other words, all religions and all nationalities are represented. They get you in and flip and flop you around and by the time they have finished you have spent $500.00. You say, "Well, they were driven to it by the intricacies of their science." That is not the reason they do it I tell you. It is so everybody can get a whack at you. You just lay still, little cat fish. This gentlemen over here is going to clean and dress you and that's all he's going to do. When he gets through, this one over here is going to drop you in some deep fat, fry you, and these three are going to eat you.

I am not trying to be inspirational. I am not saying I know a great deal about the practice of law, but I know this much—it is too big for me. I can't be a general practitioner and I don't believe the normal lawyer can; for it is so exceedingly difficult to do the study and maintain the library necessary for a general practitioner. Just stop and think of the specialized questions that arise in the office of a general practitioner and the specialized materials required to competently handle such business. A while back, from the standpoint of library alone, I realized I was spending more for my books than I was taking in, so I narrowed my work down and I have been very happy about it.

In order to direct lawyers into a more complete understanding of the practice of law, we had the Lawyers' Business Affairs Committee dedicate themselves from the instant we closed the last convention to formulating a law office manual, which gives a method of fee computation and provides information on every detail of handling a law office. That manual can save you a lot of money if you will observe and follow the taxation suggestions which show what you should do to get your legal tax avoidances.

One can turn to this manual when asked questions concerning estates, open it and hand it to the client to let him see what he is up against. The manual will indicate the minimum fee and the schedule or computation upon which the chancellor will render his decision. Then, if there is any special work or fee you'll never have any argument with them concerning the matter. By using the manual you can explain the situation to the client and thus better establish your public relations.

Based on a resolution adopted by this body and your Commissioners,

you received, along with your Bar dues, a solicitation for such free will contributions as you were willing to make. Gentlemen, it was only because of your response to those solicitations that your Bar was able to function in a normal manner. At the present time the Legislature denies us the privilege of setting our own dues. I sincerely hope if you adopt a resolution this year to continue that process, and your Commissioners and Budget Committee have recommended it, that you will respond in the same manner. Your money is never frivolously spent. If you receive a request for additional funds this coming year, remember that is what it takes for the Bar Association to progress.

Your State Bar, Officers and Commissioners were called upon to join the fight against the "do-gooders and civil-righters in Washington." I hope that no man here thinks the Mississippi State Bar was professionally concerned about the right or wrong of this situation. I hope that you did not want us to be spectacular and shout defiance. It was up to your Bar to fight that problem on the basis of its true legal import and to use only the dignified weapons and tools of our trade, which was done. The theory of that legislation is this: They said that since in the decision of May 14, 1954, the Supreme Court proclaimed and established that decision as being the law of the land, and by being the law of the land, the Supreme Court said that segregation in public institutions, in schools, etc. was no longer the law, and since the decision said that every school must be integrated, and whereas certain individuals and officials have sought to defy it and to criticize it, now, therefore, let Congress memorialize the fact that it is the law of the land and declare it to be the law of the land. You can readily see, gentlemen, that they were seeking to destroy American constitutional government and American jurisprudence by substituting rule by fiat. Never could it be said under our system of jurisprudence that a decision of the Supreme Court or any court would be binding upon the nation as a whole forever. This was called to the attention of that committee and they sat with bowed heads. It was called to their attention that there was once a decision, though they had forgotten it, called *Plessy v. Ferguson.* It was followed by the *Gallagher* decision in 1893, where it was said that segregation of the races in separate but equal rights was the law. It was brought to their attention that if those decisions were the law of the land and if all persons had been punished who opened their mouths about it or assembled anywhere within a state to discuss it, or attempted to change it as you have today, then in such event it could have never been changed because everyone of you birds, black and white would have been in jail. There was no answer to that line of reproach. Therefore, it has been with dignity that your officers have joined that fight. I thank you all for this honor you have bestowed upon me and this ends my report to you of my tenure.

Mr. John M. Kuykendall, Jr. of Jackson presented the report of the Budget and Finance Committee. Upon motion and second this report was adopted.[1]

Mr. Leslie Darden of the Law Journal Committee was not present. No report was given.

Mr. K. Hayes Callicutt of Jackson presented the report of the Junior Bar Section. No action was necessary on this report.

Mr. Hugh N. Clayton of New Albany introduced Congressman Jamie L. Whitten of Mississippi, who delivered the following address.

ADDRESS OF JAMIE L. WHITTEN

I am sincerely pleased to speak to the Mississippi Bar Association. Believe it or not, I never intended to get in politics and never intended to stay in it. My ambition was to practice law. I have retained and have in my heart now the desire to practice law. I do recognize, however, that I have stayed in politics perhaps a little long to come back and effectively practice law. I could probably learn the changes in procedure, but I just don't know how in the world I could practice law where precedent does not mean anything and the Constitution has gone out the window.

It is during a serious time that I come here, and of all the groups in Mississippi I would rather talk to lawyers more than I would like to talk to any other group. What we face is a legal problem. These are times in which we must keep a cool and level head. I believe that if I turned my feelings loose, I could make you as hot a speech about the conditions we face as anybody you know, and I believe I could use about as many descriptive adjectives as the next fellow. But, that is one of the dangers we must avoid, in order that we may look at the issue cooly and clearly. In this situation which calls for cool heads, I am reminded of when I was a young district attorney trying a lawsuit in Senatobia. My opponent was Judge Frank Dean. My old friend Judge Kuykendahl said Judge Dean had an affidavit voice; anything he said sounded like he was swearing to it. He was a good friend of mine and in this case a Negro defendant had committed murder—that is the district attorney in me, that is the way I describe it—the defense lawyers said he was charged with having committed homicide. At any rate, in the preliminary hearing two witnesses testified and their testimony was recorded. When the court met and the grand jury convened, these two witnesses completely changed their story. As district attorney it was my duty, as I saw it, to have them committed to jail for perjury. We proceeded with the trial.

[1]All committee reports will be found in Appendix A.

Judge Dean got up in the courtroom and said, "Gentlemen of the jury, Jamie Whitten, in my opinion, has been one of the cleanest, finest young fellows I have known. He has been my friend; I have been his. I am for him, but I want you to know that when, in his zeal to discharge his duty as district attorney, he puts the witnesses in jail for perjury so as to defeat their testimony in this case for my client, I want you to know I don't appreciate it." I have never been as surprised and shocked in my life. I am letting you down light about what he really said; it was much worse than that. I got so mad I couldn't see and walked outside the courtroom. As I got outside the courtroom, it dawned on me that I was doing just what he meant me to do. I went back in the courtroom, and when I argued to the jury, I said, "Gentlemen of the jury, you know what he is doing. He is an old, experienced lawyer; he knows that he is doing just what a lawyer who taught me at the University said to do. He said, 'Son, when you get out in the practice of law, if you haven't much evidence, bear down on the law; if you haven't the law, bear down on the evidence; if you haven't either one, give the lawyers hell.' I said, Gentlemen of the jury, Judge Dean has not mentioned law or evidence one single time." The jury went out and came in with a conviction.

My friends, this problem is serious to us. We need to step outside the courtroom, clear our thoughts and think how we are going to handle it. I am not going to belabor the issue by describing in high sounding language what has happened, but if we are going to handle this lawsuit, we have to determine where we are, how we got here, what we can possibly do about it. It is along that line that I hope to discuss several facts with you.

We have a Supreme Court that has taken unto itself the right to change the Constitution and that is bad enough, but in effect they have determined that they have a right to change it again from week to week and month to month. In effect, they have said that while certain statutes are constitutional, they reserve the right to see how they are carried out, to later perhaps declare them unconstitutional. In the history of governments and in the history of people, those governments have stood that had something solid around which the tides of public opinion could ebb and flow. In our country it was the Constitution, fixed and stable, around which statutes could be passed and decisions rendered. But when you take the Constitution and strike it down, and when you place it in the hands of a court from which there is no appeal, it means that from week to week you don't know what the law is. Recently, we saw France call General DeGaulle back. Why? It was because the French constitution was in the hands of a legislative body, which meant that they didn't have any stable constitution at all.

What do we have in this country? What does the Supreme Court's line of decisions mean? My friends, in describing the land on which this building is placed, the accuracy and soundness of the description depends upon where the marker of the first survey was placed. The Supreme Court has moved the constitutional marker about fifty feet and it destroys everything in turn which was tied to it; and, further, they have reserved the right to keep wiggling it around to serve their political purposes.

How did we get this way? We got this way from pure unadulterated politics. The politicians talk about civil rights. But, the first Negro who voted in any county or state didn't vote because somebody wanted him to have civil rights; he voted because some politician wanted his vote to win. The next time the other side registered a few more Negroes and it has finally reached the point where both parties are absolutely controlled by the Negro vote. There are no civil rights involved in it, just poor down to earth politics.

The situation in this present day is primarily this: when President Eisenhower was elected, a man of practically no political experience at all, he brought into his cabinet Mr. Brownell, a racial, politically experienced genius who had played the colored vote of New York City for many years under Dewey. Then, about the time he brought Mr. Brownell in, a vacancy occurred in the position of Chief Justice. Here we find Mr. Warren in California, a governor who had the support of both parties, who was also an expert in racial politics, being considered for that position. Mr. Warren, when he was Governor in California in 1952, granted an interview to the *U. S. News and World Report,* and you will find that interview in the May 2, 1952 issue. He was asked how he stood on civil rights. At the time he thought he might be the presidential nominee of the Republican party, which, for the last two elections, had condemned segregation and the restraining of the exercise of what was termed civil rights. He says, "As a Republican governor I am bound to the platform of the Republican party, which means I must use all the power at our command to get rid of this evil of segregation . . . ." That was published all over the United States. That man was appointed Chief Justice. When they appointed him, even with that record, they sent Mr. Brownell out there to see him and the presumption is that they wanted assurance. After that public statement, I can't see what assurance they needed.

You say, Congressman, Mr. Warren was just one member of the court. How did he get all the other members to concur? My friends, I think, and I have many reasons and much evidence to support me, that he used the threat of Russia to bring about the unanimous decision by the Supreme Court. He probably said that if we don't bring about this equalization of rights and integration of the colored people in the

United States, we will lose the contest with Russia throughout the world. He said that if we don't do this, Russia will gain strength and conquer us. Why, it was said that if Russia takes over here, the first thing they will do is set up a dictatorship. If Russia takes over, they will do away with the right to trial by jury. So what did they do? They beat the Russians to it by using the threat of Russia. You have seen the President recommend, and a majority of Congress pass, the law taking away the right to trial by jury. Yes, they said we would have a system similar to Hitler's in Germany or Stalin's in Russia. What did they do in Germany and Russia? What was the source of their absolute control of those nations? Why, they had the courts issue decrees, then they used troops to enforce the decrees. What is the difference there and here? We see the Supreme Court change the Constitution and the President send the troops in to enforce it. Why, we beat Russia to it.

They say we have got to integrate the United States or else we can't hold India, China and Japan. If being all the same color would work, why have China and Japan been at daggers point throughout history? Talk about civil rights in India, where people of the same color can not even touch each other. No, the trouble is right here at home. People are using the threat of Russia here in the United States to accomplish their personal wishes. My friends, if this was the real McCoy, if the proponents of this destruction of our American way of life and the pride in our race were honest, they would look south of us and wonder why South America, Mexico and Central America, with the same great natural resources as North America, have such a low economic level. They would wonder why their elections are determined by violent revolutions. If John Marshall had been as smart as Justice Warren, and if Thomas Jefferson had been as far-sighted as the President and had brought integration about in their day, perhaps, by this time, we would be on an economic level with South and Central America.

This whole problem was born in and it will never be handled outside the political arena. If you go into Harlem at night, you take your life in your hands, and you may be in danger in the daytime. Congressman Celler is from New York, don't you know he is aware of the situation? You can't go to certain areas of Chicago without danger to life and limb, and some areas of Washington are dangerous at night. This all started in an effort to get the Negro vote. It is still tied to the Negro vote. I hear some of my friends at home say, "Oh, if the people of the North just knew." My friends, they know better and have known better all along. And, after all, it is not the people pushing integration, it is the politicians trying to be re-elected. If we would agree to accept every civil rights bill that has been introduced, or that they can think of now, it wouldn't solve anything, because they would come up with some new

ones before the next election for the same purpose, which is to get the vote at home.

The solid southern type of people have kept the balance in national affairs many years. We used the filibuster in the Senate to stop dangerous legislation and used the power of the chairmanship in the House and Senate to do the same thing, but it has gotten away from us. When it was evident that civil rights couldn't be stopped with the filibuster, without losing the right of filibuster that in itself showed that the approach would no longer work. If you can't use it for that purpose, what are you saving it for? What difference does it make to be Chairman of the Committee on Education and Labor? What good is a chairmanship when they stack the committee against you 20 to 10? If you block them in the middle, they run around the end.

Our problems are due mainly to our deteriorating influence in national conventions and in the Congress, in spite of the fine quality of people with whom I work. Since these things are promoted by politicians to obtain votes in their district, you are going to have to make them have the same interest in holding or getting the votes in the South. Let's be honest with ourselves. I am proud of Mississippi. We have the brightest future, and we are making the greatest progress of any section of the United States. But, be honest. In the whole State of Mississippi we have about as many people as there are in South Chicago. So, when we try to handle this lawsuit, we have to recognize that fact. Soon after I was elected district attorney, I went to DeSoto County where a deputy sheriff had shot the son of a prominent physician; it was a terrible situaton, but it was the sort of thing that happens from time to time. In my race for election, knowing they had two able lawyers from DeSoto County running against me, I didn't go there since time was short, and I got 4 votes in that county. But I was elected anyway. When I got there the County had taken sides in this situation. I had two delegations to call on me, one for the defendant and one for the prosecution. They told me I was young and could look ahead to a wonderful future in that county, but if I knew what was good for me, I'd do what they said. Then the other side came and told me the same thing. You don't have this opportunity often. I listened to their advice and said, "Well, I want to say, my friends, I was making a good living practicing law and I don't have to be district attorney. I don't believe anybody can threaten me with politics, but if they could, they couldn't do it with 4 votes.

One of the most difficult things we must face is to have sufficient patience to gain enough support in the South to count. That can be done. I know it is easy to cuss everybody out, go fishing and vote for the next door neighbor, but what does it gain? It does not gain anything. There are three things, as I see it, that we can do. And, as I see it, next

year we are going to be faced with these three things, and I tell you why we will be faced with them. The Republican Convention of 1960 is almost certain to endorse the actions of the Supreme Court, and the actions of the President in sending troops to Little Rock. If the Republican Convention does that in 1960, it is almost assured that the Democratic Convention will go them one further. I am opposed to multiple parties except when we are forced to use them. I saw France and I know the dangers incident to the multi-party system. But, if the two national conventions endorse the Supreme Court action and the using of troops to enforce court action, how, in good conscience as Mississippians, can we stay in either house? Now, if that happens—and I am speaking from the heart and telling in detail some things which are not generally known—there are two courses open: we can have independent electors or a third party ticket. I supported my good friend Fielding Wright. He was one of the finest men and best friends I ever had. But I differed with him in 1948, in that I thought independent electors would be a more effective method by which we could accomplish our purpose. The decision was made; we went the third party route, and I was 100 per cent for it. But, each state in the third party wants one of their men to be the presidential nominee, and in the states which are left out, support for the third party wanes. Therefore, it would seem that independent elctors are the best approach if the time comes when circumstances force the people to join us. Nobody wishes to do this, but I say to you, it seems that we are going to be forced to do it. I know I am speaking to a legal group. I know you are thoroughly familiar with our system, but we do vote for electors. There is nothing in law binding those electors. It is a moral obligation. The electoral college meets about a month after the election. We could select our best people in Mississippi as electors to go to the electoral college and do the best they could. We could get other Southern states to elect their best men for the same purpose. Then you avoid this competition of who is going to be the presidential nominee.

As the electoral college now stands, the states you readily recognize as southern would have some 140 or 150 electors out of a total of more than 500. Am I telling you we can absolutely control the election? No. But in a particular election neither party will know but what you can control it that time, and they will bid for your vote each and every time. This problem is not limited to color or integration. If a court does what the Supreme Court has done, it means that we no longer have stability in our government; we no longer have anything around which the tide of public opinion can ebb and flow. We have taken one step toward the unstable conditions that exist in other American countries to the south of us.

You say, Congressman, you talk pretty big, but what are we going to do about Little Rock? I never knew an easy answer to a tough lawsuit. I am not trying to tell you I know an easy answer, but I do know we need to approach the problem cooly and look at it objectively. I know what we could do about a situation like Little Rock that they didn't seem to do. We could refuse to give them one ounce of cooperation. We don't have to do as they did and hire a superintendent of our public schools because he has already had experience in integration. No, if our people refuse to cooperate first, last, and always; if the teachers don't ask the first question or grade the first paper; if they have to sue for classes, grades, and diplomas; if our teachers are with us and we are united; I don't believe there is a court or president that can run the day to day detailed operation of a school; and, I don't believe there is any parent who will let children sit in a school all year and learn nothing and get no credit. I do know, my fellow Mississippians, that the relationship between the races in Mississippi has never been tied to law. The Supreme Court says you can't do it by law. My friends, we never did do it by law. The races have existed peaceably in Mississippi because of the understanding and knowledge of our people. It has been mutually to our best interests. We have done it and can still do it. I know outside educators are going to try to come here and agitate. Not because they care for the Negro but because they can print it in northern papers and get votes on election day.

A so-called civil rights bill has passed and there are many dangers in it, but it is primamily directed toward Negro voting. If we in Mississippi follow a proper course of action, there will be precious few Negroes voting in Mississippi on their own initiative for many, many years. But, if in any county election one side attempts to solicit and register the Negro vote, the next time the other crowd will raise their bid and register more than they did. If we follow that road, we will be absolutely controlled by this minority vote just as the two major political parties are today. Some reports indicate that it has happened in four or five Mississippi counties already. We must be temperate and wait until we can get enough strength to count. The place to win this lawsuit is in a solidified Mississippi working to induce the other states to join us in the fight. But, may I say, if these two National conventions do as I am afraid they will, it is my opinion that if 25 younger non-chairmen in the House of Representatives, and as few as 6 Senators will pledge themselves to go the limit, then you can make every Southerner sign a resolution supporting our position or force them to run on the Brooks Hayes ticket. It is in the hands of the people of the South. Don't think it is necessary that we integrate to get industry here; it is not. I have listened to people all over the United States, and there are more industries interested in coming in-

to Mississippi because of the way we run our affairs than there are those who would stay out. Don't say we must give in to get federal aid for education because that is not necessary either, and you can't get aid without later getting control. Let's be strong, let's recognize that our forefathers, who went through reconstruction, wouldn't sit on their hands with 140 electoral votes, 106 members of the House and 22 Senators and say we are helpless. We can't afford to do that. If we do, fifty or a hundred years from now, we will be settling our elections by revolution and our economy will have declined to the point that we will be wondering how we will eat.

It is a pleasure to be here, and I welcome the opportunity to spill my heart out on this situation.

FRIDAY, JUNE 12, 2:00 P. M.

President Mounger presented an award to Mr. Kenneth Toler, Mississippi Correspondent of the *Memphis Commercial Appeal,* as the reporter who did the best job of fairly reporting the activities of the Bench and Bar during the past year.

Mr. Quitman Ross of Laurel presented the report of the Procedural Reform Committee. Upon motion and second each item of the report was voted upon separately. Upon motion and second the first recommendation failed. Upon motion and second the second recommendation was adopted. The third recommendation was incorporated in Item II of the report of the Study Committee by agreement. Upon motion and second the fourth recommendation was tabled.

Mr. Bidwell Adam of Gulfport presented the report of the Memorial Committee. No action was necessary on this report.

Mr. John A. Travis, Jr. of Jackson then introduced Mr. Alfred S Julien of New York, New York, who delivered the following address.

ADDRESS OF ALFRED S. JULIEN

I want to tell you, ladies and gentlemen, how honored I am by this invitation to address the Bar Association. I have noticed an outstanding feeling of congeniality and friendship amongst the members of this group. I have addressed some twenty-four Bar Associations throughout the country. In the course of those travels I have had an opportunity not only to attend the Bar meetings, but wherever possible I went to the local courts to see how the attorneys were handling their cases.

The changes are phenomenal and the differences in practice are yearly diminishing. The type of trial lawyer whom we knew in years gone by is rapidly passing. The prototype of the modern-day trial lawyer seems

to be the quiet man, and perhaps this is something that we ought to regret. I personally regret it for one particular reason. I have recently seen a decision from the Circuit Court of Appeals, Second Circuit, concerning an attorney who used to weep copious tears in the course of his summation. He would flood the courtroom. It seems that this attorney, in a personal injury case against a railroad company, had wept such copious tears during the course of his summation that the principal, indeed the only, point on appeal, was the fact that the tears of counsel had so permeated the atmosphere of the courtroom as to prevent the defendant from receiving a fair and impartial trial. Said the Court of Appeals: "If counsel has means of shedding tears during the course of his summation he has the constitutional right to do so, and furthermore, having these means, if he fails to exert it, he may indeed be guilty of malpractice." I am sorrry to say that the weeper is gradually passing from the trial scene. There is another type of trial lawyer whom we are seeing far less frequently than before. That is the belligerent finger-waver, the destroyer of the witness. You don't see much of him any more and I don't know why. I have a class at the New York Law School which I teach once a week and the topic is "Trial Technique." I have tried to teach them never to crossly cross-examine but just saying that, and making a principle of it, doesn't seem to accomplish the purpose. However, I have brought to them and similarly I bring to you a brief transcript of a case where a man crossly cross-examined, and if you are prone to use cross and belligerent cross-examination, you might very likely re-examine your technique, having heard this transcript and what happened in this actual case. Let me orientate you about the facts of the case. This is a patent infringement case. It involves an alleged infringement of a patent for a beaver trap. The defense has called an expert, a professor of zoology, and the plaintiff's lawyer in the morning session had been cross-examining him at length, with very little success. By the time the noon recess came he was completely mad at this witness and he went out; and, being the sort of man who can't eat on an empty stomach, he drank his lunch, and came back to the court room loaded for bear—he is going to get the witness, and this is what happened.

The Interrogator: Professor, you say you are a professor?

Answer: That's right, that is, a form of professor. You see, I retired in 1915. No, it was really 1916. Pardon me.

Question: That's all right, Professor. Professor of what, Professor?

Answer: Zoology.

Question: What is that?

Answer: Zoology.

Question: Yes, but what is zoology? Don't evade or quibble.

Answer: I am not quibbling.

Question: Oh, yes, you are. Yes, you are. Just like all the so-called experts.
The Court: Treat the witness fairly.
(Now here is an answer you have heard many times.)
Counsel: I have practiced in this court for twenty-nine years and no one has ever accused me of treating any witness unfairly.
The Court: Proceed.
Question: What do zoologists do, Professor?
Answer: They study and they sometimes teach animal life. It is a bit difficult to define in a sentence. There are many various branches and specialties. It is the study of animals and animal life. I knew one professor who studied the snail family for thirty-five years.
Question: What was his name?
Answer: Albert Taylor.
Question: Where is he now?
The Court: (Somebody has awakened His Honor.) What has this got to do with this matter? I am afraid you are wandering a little far afield. (Here again is the classic answer.) Your Honor forgets this is cross-examination."
The Court: I forgot nothing of the kind. Get along with your questions.
Question: Answer the question.
Answer: What is the question.
Question: Strike it out. We will start all over again and I will put my questions in such a simple, child-like way, so simple and easy that even a so-called professor who studies snails and beavers can answer.
Opposing Counsel: I certainly want to object to these remarks.
The Court: Yes, that is very objectionable. I know this is cross-examination but get down to the meat of the thing.
Counsel: Very well, Your Honor.
Question: So you say you are a specialist, an expert on beavers, beaver traps and snails?
Answer: I didn't say any such thing, sir. I said I know a great deal about beavers just as I know a great deal about many animals. I have lived with them, I have—I was almost going to say I have conversed with them. You see, they have a sort of language. The worst thing you can say about them is that they are dumb animals.
Question: You say they can talk?
Answer: Well, there is a sense in which all nature has a language and we who study it can understand it.
Question: Answer the question.
Answer: What was your question?
Question: You said a beaver can talk?

Answer: Please don't try to make me look ridiculous. What I said was this: all animals can speak and by that I mean they can communicate with one another and understand their own language.
Question: Can you talk it?
Answer: I can answer it this way . . .
Question: Answer yes or no.
Answer: Yes.
The lawyer to the court reporter: I want you to get this. This is good. Get it.
The witness: I was going to say if we were to make an analysis that even plant life has a certain language.
Question: You talk that, too?
Answer: As I said before . . .
Question: Now don't quibble. Answer yes or no.
Answer: On the subject of what I said before, I will answer yes.
Question: Did you ever talk to a buttercup?
Opposing Counsel: Now, Your Honor, this is too much.
Counsel: He is your witness. He is your witness. You are bound by his testimony.
Question: Did you ever talk to a buttercup, Professor?
Answer: Well, to those who are familiar with them and have learned to love them, flowers have a certain language.
Question: What did the buttercup say to you? What did you say to the buttercup—and fix the time and place.
The Court: You don't have to answer that question.
Question: Well, did you ever talk to a giraffe? Answer yes or no.
Answer: Yes, with qualifications.
Question: Did he talk to you?
Answer: Yes, as I have stated before.
Question: Did you ever talk to a skunk?
Answer: Yes.
Question: Well, the next time you talk with one of those bastards, ask him for me, "What's the big idea?"

I am sorry to say this, but the record indicates that at that point our friend was jailed for contempt of court. You don't see them any more. Instead, you see the more or less quiet trial lawyer who does a business-like job in a business-like way.

Before we get down to questions of products liability, let me call a very important case to the attention of you gentlemen who are doing personal injury work on either side of the fence. A recent case in New York heard in the Court of Appeals was *Ferrari v. Valuce.* The case involved a young lady who had some type of shoulder injury. She received x-ray radiation treatment for it and evidently she was over-exposed

because certain burns developed. The first doctor sent her to a second doctor and he treated the burns, but they did not seem to respond to treatment, whereupon the second doctor made a rather important mistake. He said, "You have got to return to me every six months, because if radiation burns fail to respond to treatment in this fashion, there is always the danger of cancer." From that moment on, she lived with cancer —she never got it, you understand, but she lived as though it were a real thing with her. She ran from doctor to doctor, from clinic to clinic, and sought every kind of quack remedy. Nothing happened, but the pain, the worry, the concern on her part and on the part of her family were just as real as though she had this dread disease. The doctors called this "cancer phobia." Watch that term—"cancer phobia."

They tried the case in two sessions, to insure that the question of cancer phobia would not impair the damages concerning the original injury. The case went to the jury for two verdicts, one with respect to the first injury and the other with respect to the cancer phobia. The jury found for the plaintiff on both counts, $10,000 for the first injury and $15,000 for the cancer phobia. The case was appealed to our Court of Appeals and it was affirmed. Personal injury men on both sides of the fence, what are the vistas that this decision opens to you? What important elements does this bring to your attention? If there can be cancer phobia, can there not be a diabetic phobia?

I have a little dog back home. He likes everybody except the milk man; suppose he takes a nip out of the milk man and runs away. We can't catch the dog. He can't be examined. The milk man is the sort of man who will not take injections for hydrophobia, but he worries and he worries about this bite until he finally begins to woof like a dog. If there can be cancer phobia, why not this kind of phobia? This is an element of damage which a lawyer on either side of the counsel table must know about so that he can reckon with it as an element in the case. Also, before we talk about products liability, I want to call your attention to some of the drugs which are having side effects on their users. In my state we have what is known as Products Liability Exchange. It is a bureau of information where each of our 7,500 members of the Bar Association, file information on claims which they have regarding specific items, or specific products, and this information is exchanged among the membership. One of the things which came to our attention while that system was in progress was that there was a particular drug called "marsilid" which was given to patients who were in a depressed condition and which was causing hepatitis, and, indeed, causing deaths throughout the country. I wish you could have been present when there was a convoking of some ten to twelve lawyers from throughout the country who had claims involving this problem. They sat

down and of course discussed what had to be done with respect to the prosecution of their individual claims, but over and above that, in the public interest, 80 per cent of their time was devoted to the problem of how to prevent other members of the public from receiving this result from the use of this drug in its present dosage. As a result of their activity, that drug was changed in its dosage, and was for a time withdrawn from the market, and has now been returned with new ideas as to how it should be administered to patients. The important thing is this: the attorney handling personal injury work must realize that there are drugs, like cortizone or ATCH, which have side effects, and knowing of the side effects, he can watch for them. You can talk to the doctors in your case about them so that if they have materialized, this, too, can be a proper element for compensation.

As a result of this compendium of information which we have acquired with respect to claims in actions filed throughout the country, a number of things have been brought to our attention. I would like for you to familiarize yourself with this because products liability is the most voluble field in personal injury work at the present time, and you men who are not presently in it are going to find that you will be called upon to use your abilities in this field within the next five to ten years, because it is a growing field. The public is becoming aware of it. More and more cases are devoted to working out the law in this area. Let me tell you about some of the major categories coming to our attention as a result of the filing of these claims. In the field of automobiles there are cases and claims made with respect to most of the major causes of injury and they involve defects in steering apparatus, failure on the part of the braking system, broken axles and sticking gas pedals. Also, there are claims with respect to the apparatus that is used in cars: the tires, the glass, or the alleged shatter-proof glass, where it is not shatter-proof. The alleged puncture-proof tires which are not puncture-proof have been the subject of claims. Then you say, "Perhaps we ought to stop using cars. Maybe it would be safer to stay on the golf course." We have you there. There is a case involving failure of the braking system on a golf cart. You say, "well, perhaps we will stay away from that type of thing and stay at home to mow the lawn." The new rotary blades on lawn mowers have been the subject of many claims throughout the country on the basis that they are not properly guarded. Toes, here, there, and everywhere have been sheared off and are the subject of lawsuits and claims. You answer, "Then we will leave the lawn. We will leave the golf course. Let's get dressed and go out somewhere with our wife or girl friend." Here again we run into trouble. There are cases involving defects in the construction of shoes. There are cases where inner garments, girdles or other articles of feminine wear have resulted in

severe cases of contact dermatitis. There cases of fabrics which have not been treated properly so that they burst into flame immediately upon close contact with matches or cigarettes.

"Well, let's not go out," you say. "Let's stay home and play with the children. We will look at their toys." Since this is the missile age, some of the toys are missiles of the projector type, and the box reads, "Absolutely Safe." Indeed, the box is absolutely safe, but the toy itself, its sharp edges, its projector devices, are injuring the eyesight of children throughout the country.

By this time you are so nervous that you are lighting a cigarette, and you know about some of the risks of cigarettes, but did you know that there are claims on file about cigarettes that have exploded and Hershey bars which had wire in them? There was one case, *McWhorter v. The Food Fair,* where they found worms in the food. The defendant said, "Well, we can't be held liable for that. Why, there is an area in this country, in Mexico at least, where worms and snails are a delicacy. They love it." Said the Court: "It may be a delicacy, but we have not yet joined the snail set." Verdict for the plaintiff.

What is the trend in public liability law? We were troubled for many years with the question of privity of contract. Privity of contract was somehow saddled onto the law of warranty, but warranty, if you trace it back to antiquity, had nothing at all to do with contracts, but began in tort. It had something to do with representations, fraud and deceit. Somehow in the United States, following a bad decision called *Winterbottom v. White,* we decided to call this privity of contract, but we are getting away from it now. The first important case is *Rogers v. Toni.* Toni is a home permanent advertised throughout the country as gentle and safe. Mrs. Rogers, who believed it was gentle and safe, somehow got an unwarranted crew cut when she used the commodity. She decided it would not be fair to sue the little drug store people who sold it to her, with whom there would be privity of contract. She wanted to sue Toni, who advertised nationally that their product was "Perfectly safe and gentle." The Supreme Court of Ohio said the manufacturer of a commodity who places a commodity on the market, advertises its potentialities, its safeness, its characteristics, is creating the market for the commodity. Having created it, the manufacturer must stand by his product. It is not the local man in the drug store who makes these representations. Since it is the manufacturer who is liable, we have leaping warranties. Recently, in the case of *Arfons v. Dupont,* this same leaping warranty was applied to a case where it was claimed that dynamite fuses were safe. The ultimate consumer was there permitted to sue the manufacturer of the commodity and it was held that the representation ran to the ultimate consumer. It is not important whether you classify your

case as breach of warranty or negligence when you sue the manufacturer because the courts themselves are somewhat loose in their delineation of whether it falls in one category or another, but they are gradually coming to the realization that the ultimate consumer needs protection and that the manufacturer must stand by its product.

Then we get into the area of allergies. We used to think, and it seemed to be the law, that if a person had an allergy which caused a hypersensitive reaction to a product, you could not hold the manufacturer for the injury. It isn't his fault. He has a product that the general public can use. Why hold him responsible for an unusual idiosyncratic result? But that is no longer the law. In *Wright v. Carter Products,* the commodity involved was Arrid, which is a deodorant. It seemed that Mrs. Wright had been using his deodorant for some five years with no untoward results whatever. Then she began developing a rash. She discontinued using the product. When the rash had disappeared, she once again started to use it and she developed a very severe case of contact dermatitis. Said the defendant: "She has an allergy." Said the plaintiff: "I admit I have an allergy, but have you had any notification that others have suffered in this fashion?" Well, the defendant admitted that in 300 odd cases out of 8,000,000 jars sold, a similar result was suffered. The court held that if there is a class of people, however small, who can receive this result from your commodity, you must warn them by putting it on your product.

As a result of the decisions in these cases, the manufacturer will use greater care in the future, and the public at large will benefit as a result of the activity of the individual lawyers who tried those cases. These lawyers, not only on the plaintiff's side, but on the defendant's side as well, are working out a code of health practices, of safety practices, of fairness in advertising, of fairness in labeling, which if not done in court is only done in part elsewhere. It is too much to expect that the Pure Foods and Drug Administration can do a job like this by itself on a small budget. One other case I must call to your attention went much further than the majority of cases have thus far gone in the field of products liablity. That is the case of *Brown v. Roux,* a hair dye case. It seems that hair dye contains a coal tar derivative and that there are people allergic to it. Mrs. Brown contracted a disease known as periarteritis nodosa which is a rare and sometimes fatal disease involving the arterial system. This was the first time in medical or legal records that this colossal result had occurred by of the application of a hair dye. The defendant said, "Well, we knew that there could be some type of allergic reactions, but how could we foresee that this unusual and heretofore unknown result could be obtained?" The court said, "You need not expect

and you need not know the particular type of systemic result which your product may cause to an allergic person. It is sufficient for our purposes that you know that there can be a systematic and serious result from the application of your product. Knowing that, there is a duty to warn." Liability was found in that case.

Whether the other courts are going to go quite that far, I cannot say. I bring it to your attention so that you will know the extent to which some of the courts have gone in what seems to be almost complete liability for the manufacturer of a product. Many of you will be attorney for a defendant who will say: "We are observing the standard form of conduct in our trade." In the bottling cases, the bottler may say, "The efforts we make to insure that we are using safe bottles is a standard procedure in our trade." It used to be that standard procedure could be a complete defense. But, it is no longer a complete defense. Now it is simply to be considered by the jury with all other evidence in deciding whether the defendant has used reasonable care. The courts say in effect, "No one can be his own defense. It is simply to be considered by the jury with all other evidence in deciding whether the defendant has used reasonable care. No one can be his own referee. No one can be his own umpire and if any industry can by its own agreement decide that standard procedure is as far as they will go on safety practices and no further; then there can be no progress." Therefore, a bottler, for example, if he knows about a test called the kaleidoscope test which shows up defects in bottles by color prisms, must let the jury hear about it. There may be a question of fact as to whether or not he ought to be using that test in his bottling process.

Finally, what is the extent of care which must be used in the form of notification of dangerous agents which are found in a product? *Caberlee v. Reard* is a case involving Bondex, a paint that contains calcium oxide which when dropped in the eye causes instantaneous blindness, Mr. Caberlee was using the paint. His little son was nearby and a fleck of the paint dropped in his eye and caused blindness. The manufacturer claimed that sufficient warning had been given. The warning read: "Caution. Inasmuch as Bondex may be irritating to tender skin, avoid excessive or prolonged contact with the skin." The plaintiff contended that the warning was not sufficient in that it did not warn how really dangerous the product can be to the eyes. The court said it is a question of fact: "Even if there is a warning, is the warning adequate considering the dangers of the commodity?" These are some of the aspects that you as public lawyers as well as lawyers for private litigants must consider in your work, for you are also doing safety work for the entire community. Since I call you "public lawyers," let me say one final word touching our duty as public lawyers. We have an ever greater duty,

because we alone speak for the preservation of the jury trial and this is a matter which no longer respects state lines. We used to think that if there is an attack on the jury trial in one area that other areas are completely safe. This isn't true any more. Ideas have a way of leaping across state lines. In the state of New Mexico they have lost the right of jury trial in one aspect of their law, where they formerly enjoyed it. In the state of California there is a bill before the Legislature to do away with the jury trial in automobile cases. This is not the problem of the plaintiff's lawyer alone; it is not just the problem of the defendant's lawyer; but, if you cherish our adversary system, if you believe as I do that jury trial is the fundamental pillar of our democracy, then it is not sufficient that you resist attacks made directly upon the jury trial, but you must also resist the subliminal attacks which are being made. The subliminal type attack on the jury trial is under way. I want to call it to your attention so that you will know how to deal with it if you feel that our adversary system serves the public properly. There are two ways in which it is attacked. First, it is attacked by propaganda claiming that juries are giving away too much money. It is said that verdicts are excessive. It is said if that continues the public will ultimately feel the need that I, as a juryman, will have to consider my pocketbook and therefore cut my award when on the jury. They will say, "The jury system can't be trusted. If this sort of thing goes on, let's do away with it entirely." That is the vice; that is the danger and that is the objective of the propaganda concerning excessive verdicts. If a jury on a rare occasion goes haywire, why doesn't the judge set aside the verdict? If he fails to act, doesn't the appellate court give a remedy? However, the public doesn't know these things and it is being led to believe that juries are undesirable. Millions of dollars are being spent to bring this before the public. That is subliminal propaganda.

There is another phase of subliminal propaganda about which I want to alert you. It is the medical panel. Many people favor it, but they don't realize what it means. The impartial medical panel means that a segment of what formerly was for determination by the jury is now no longer for its consideration because an impartial specialist, the court's doctor, appointed by the court, is going to decide these questions to a certainty in a field where there can be no certainty. There is no certainty in medicine and there is no certainty in law. How can there be an impartial doctor? There are honest doctors. There are doctors of great integrity, but each of us is conditioned by the school of medicine, or by the school of law with which we have been affiliated. We are conditioned by our own thinking; we are conditioned by our background. Consider the example of a herniated disc. On the same impartial medical panel there may be one doctor who says, "I can't find a herniated disc unless a punc-

ture dye is put into the spinal column. I can't make a diagnosis of a herniated disc without that procedure." There are other doctors just as good, just as honest, just as high-minded who say, "That is dangerous. Dye is sometimes left in the canal; the puncture itself is dangerous. It causes more injury than the original injury. I can find a herniated disc just by clinical examination." Both of these doctors can occupy positions on an impartial medical panel. The lottery number you draw will determine who the court's doctor is that will tell the jury how to find in your case. This system is not healthy. It is eroding the jury system. There is one other trend that judges in particular ought to know about. If the testimony of the court's doctor is rejected by the jury, then the court itself is partially rejected because the doctor is introduced as the court's appointee. When the doctor is rejected, the court is rejected, and when that happens the administration of justice suffers. Don't buy the impartial medical panel. It isn't working beautifully in New York.

Someone said that the jury trial is a small miracle of democracy in action. That miracle of democracy in action requires complete vigilance on our part, not for our own sake, but for the public whom we represent. As long as we are vigilant the adversary system as we know it is here to stay.

Judge Tom P. Brady of Brookhaven then introduced Senator James O. Eastland of Mississippi who delivered the following address.

ADDRESS OF JAMES O. EASTLAND

My friends, I greatly appreciate the very kind and very fine introduction, which I do not deserve, that I have just received from my good friend, Tom Brady.

As Tom told you, there have been some groups in this country that have been sniping at me because of the position that I hold. I am not going to get too controversial today—and I am controversial. We have a civil rights fight shaping up. It is a fight that in my judgment will determine the future of the American Government. If we sit here and permit power to be concentrated in Washington, and permit the reserved rights of the states and the people to be destroyed, then that system which was handed down from Magna Carta, upon which human liberty and Anglo-Saxon civilization have been founded, will be swept by the board. In that fight, I am going to do my best. I want to say that my friend, Jamie Whitten, made some recommendations, and as far as I am concerned no citizen should be or is obligated to support any candidate or political party which is bent upon the destruction of Southern people, the Anglo-Saxon civilization of the South, or which is bent upon

the destruction of the American system of government. And, I think that statement will apply in particular to a member of the United States Senate, because I am sworn to preserve, protect and defend the Constitution of the United States.

Let me tell you, my friends, we have dark days ahead in the South. In my judgment the situation is going to get worse before it is going to get better, but against all hazards the South must act as a unit and take a unified position. The truth is that the average man, north, south, east and west, thank God, thinks alike. It has often been said that if we knew each other better, we would love each other more.

I was talking to a distinguished senator from New England a few weeks ago. He said, "Jim, when all this agitation started, the average man in my state would say, 'Why, of course you have got to give the Negro all of his rights.' " He said, "that is all they knew about it." "But," he said, "this school integration, the end of segregation, the destruction of our government, has struck home, and today in my state, the average Rotary Club or the average civic club would adopt identical resolutions that the same clubs would adopt in your own state of Mississippi." My friends, I believe in that statement.

You have got some froth at the top, highly organized, vocal, and blood red. There are in existence in this country today 213 communist front organizations. The vast majority of the memberships of these organizations are not communist, but these organizations, as found by the Attorney General of the United States, have been manipulating and are promoting the progress and programs of the communist conspiracy. Their operations are world-wide. They pit race against race, class against class; they teach the laboring man to hate the employer—when after all their interests are identical—and set religion against religion. And, throughout it all, there is a movement to centralize power in one strong central government, because throughout their history when they get a strong central government they are able take it over. They are spending hundreds of millions of dollars in this country today to promote these things. Let's take one organization, the National Council of Churches—they have even penetrated religion—or the Federal Council of Churches, which previously was a national council of churches. The investigating committees have found officially, and these are official figures, in that one organization that over 700 of its officers and officials have belonged to one or more communist front organizations.

The average man in nthe north will agree with you but it doesn't influence his vote. If you are in the bag politically, if you stand for something and won't vote for it, then the politician will pay no attention to you. In the average congressional district and in the average state there is practically an even division between the political parties. And there is the highly organized group at the top whose vote means a balance

of power, and the politicians sing the song of this organized group, even though they are hopelessly in the minority. What we in the South have got to do is reach those great masses of people who agree with us, but who are unorganized, and show them the issues involved.

I think I can state without fear of contradiction that the southern states are the last great bulwark of Americanism in this country. In the United States Senate at one time we could defeat anything by filibuster. It was just a custom that senators believed that under no conditions would they vote to shut off debate even though the rules so provided. Section 3 of the civil rights bill, as sent us by the House of Representatives, could have been defeated by filibuster. But who was it that lined up? It was the liberal democrats of the North who lined up with the Southerners to strike that section from the bill, and when it was stricken there was no chance to defeat the bill by filibuster.

Before I discuss some other question, I am going to briefly discuss one great question that will confront the American people and will build up, in my judgment, to great proportions within the next few years. That is the question of whether the United States will surrender its sovereignty. When we ratified the United Nations charter, there was a statute in connection with it which set up a United Nations International Court of Justice. That statute provided that the court would determine its own jurisdiction. Senator Conally of Texas, the Chairman of the Appropriations Committee, placed in the proposed statute a reservation that the United States would determine for itself what questions were domestic questions of the United States. In other words, we would not subject ourselves to jurisdiction, without our consent, of a purely domestic question. The United Nations charter went at great lengths to guarantee civil rights, the right of free association and of inter-marriage to every person in the world, and there is an international court, whose duty it is to determine the cases brought before it, to outline the remedies and bind the countries which agreed. We were protected by the reservation that we would decide for ourselves whether or not it was a domestic question. On the 13th of April, the Vice-President of the United States, while speaking in New York City, made an alarming statement. He said that the President would soon send a special message to the Congress to repeal the Connally reservation, whereby the international court would determine what is a domestic question in the United States. I don't have to tell you that there never was a court in the whole history of the world that has not extended its jurisdiction. Mr. Nixon said that there were only two cases a year in the court and the court had no work. Of the 42 countries that are in the United Nations, 38 of them, every country except Finland, Haiti, Nicaragua and Paraguay, have identical reservations. If that pro-

vision is changed, you submit the question of civil rights in this country to that court. You submit the question of interpretation of a treaty, any question of international law, any immigration problem that we could not control in this country, or any tariff duty to the decision of this court. The court has one American judge. It also has a Communist judge. In other words, you would let a man from Asia, a communist from another section of the world, an American judge, a European and a Middle-Easterner, pass on what are the domestic affairs of this country, and bind our government to support and to obey that decision. My friends, it would destroy the sovereignty of our country. Why, we couldn't even pass rules and regulations for shipping in the Panama Canal.

I think the Bar, during these troubled times, has a great obligation in keeping this state charted on the tried and true legal principles which have built America, and you must, at all hazards, take a stand to protect our nation's sovereignty. You know, it isn't an accident that there was a revolution recently in Panama. In case of war with the Soviet Union, we could not live as a nation if we lost the Panama Canal, because we do not have the transportation facilities or the ports on the west coast to handle shipping. It is absolutely necessary for the security of our country to control the Canal. The Gulf of Mexico, the Caribbean and the South Atlantic must be an American lake that we can absolutely dominate, in order that we can obtain supplies from Latin America which are necessary for our defense and preservation.

The communist movement for Latin America is centered in Mexico. There are 1000 pouches of mail a day which clear the port of New Orleans sent from Mexico to Latin America, which contain communist propaganda aimed at weakening our country in that area. You have today a communist influenced government in Cuba and Venezuela. In the past few years, just through New Orleans alone, there has been roughly a 15 per cent increase a year in the communist propaganda from Mexico.

I will mention one example of the fact that our country does not have strong leadership. I get letters from American businessmen in Cuba; I got one from a former officer in the American Army who owns a sugar mill. He said, "They haven't taken my sugar mill, but the revolutionary army forced me to sign a labor agreement that means I will lose my mill." Since that time they have adopted, as you know, a program to confiscate land, a large part of which is owned by citizens of this country. Why should we have a communist influenced government at our doorstep? My friends, the United States is the market for the chief product of the island. We import three to three and a half million tons of sugar from Cuba each year. We pay them on an average of $120,000,000.00 more than we would have to pay to buy that product on the open market. In other words, the people of the United States

reach down in their pockets and put up $120,000,000.00 a year to subsidize the economy of Cuba. All we would have to do is tell them, "We will make other arrangements for our sugar supply." But our country will not face this necessity. Of course, information concerning military equipment is classified matter, and I am not making any statement about it except to the effect that there are people in the State Department who desire to double the military equipment that goes to the Castro regime. Does that make sense? Why? I think that there is a very unwholesome influence in our country.

My friends, the Supreme Court of the United States has amended the Constitution. It has misconstrued statutes. It has built a wall of protection around the communist conspiracy. Why? There is a case which holds that the immigation service cannot, when they catch a communist agent who is an alien, ask him about his current communistic activity in our country. Why? You know it is fundamental that the Constitution had a fixed and definite meaning when it was adopted and that that meaning cannot be changed.

Mr. Justice Douglas, in writing the controlling opinion in one case, has held that stare decisis does not apply to constitutional questions, but that the judge should have the right to change his mind. Of course, under a system such as that, we are not secure in any rights or any liberties which we possess. Earlier this year, the court, in the case of *Frank v. Maryland,* said that the constitutional protection afforded by a search warrant is denied in spite of the provision of the Fourth Amendment of the Constitution. The Fourth Amendment reads, "The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." They held that a health inspector, which in most cities is a policeman, had the right without a search warrant, and over the objection of a homeowner, to search his home without a warrant. I had always believed that it was fundamental Anglo-Saxon law that a man's home was his castle and not even the king could enter there. But, earlier this year that was swept away by our Supreme Court. And you know what ground the decision was placed upon? Because, said Mr. Justice Frankfurter who wrote the opinion, "The majority of the American people acquiesce and we have changing sociological conditions." Now there it is. There is the decision. It is the same reason as was given for the *Brown* case, "changing sociological conditions." On that same day, there was the *Vitarrelli* case, which also was decided on history, dominant public opinion and sociology. The law says that when a man doesn't have civil service protection he can be immedi-

ately fired without assigning any reason. Vitarelli was fired, but the reason assigned was that he was a security risk. The court said, "Oh, no, you can't fire him because he is a security risk. Put him back to work," and he got $30,000.00 in back pay. The Court said you could fire him without stating a reason, but if you gave a reason based on considerations of internal security, then you couldn't discharge him.

My friends, during the past few years there has been a terrific battle in the United States in which public opinion has swung far, far to the right and now opposes these funny decisions of the Supreme Court. I think that their stand on internal security and on Communism was the Achilles heel that has moulded public opinion in this country against the court. In the future I think, as far as the Senate is concerned, that we have hope in one respect. There was a time when the South was dominant in the Senate. That time has passed. Political power is going toward the West, as the population increases, and two new states have come into the Union whose economies and societies are orientated to that of the northwest and the far west. We don't have the enemies there that we have in the eastern industrial states, and I think that is a very helpful sign. I can tell you on my word that the Supreme Court of the United States is very alarmed at public sentiment in our country. After all, it is the law; it writes the decisions. Why, an opinion written by my friend Percy Lee there, wouldn't be worth the paper it was written on, if the people wouldn't support it. Last week, in the *Baranblatt* and *Uphouse* cases, the Court took a far step backward. They had held in the *Watkins* case, which was aimed at my Internal Security Sub-Committee, that we could not fuss at a college professor since the school teacher had a preferred position under our Constitution, that we could not ask one about communistic affiliations under the First and Second Amendments to the Constitution; they said you had to show a legislative intent or a legislative purpose, and that you could not expose a man through investigation. Now they have reversed themselves in the *Uphouse* case. I am not going to discuss the details, but they took a backward step. That, in my judgment, was done because they realized what public sentiment was in this country. Let me tell you something, I have seen too many Federal judges that would toady to Supreme Court judges, and I have seen too many Federal judges who would toady to their superiors on the bench, many of them trying to go along in order to get promoted. Now what happened in these two cases? They first went to the Supreme Court and both of them were sent back for a new trial. Why? They said they granted the new trial, first, because of the *Watkins* decision. In the *Uphouse* case they granted the new trial because of the *Nelson* and *Sleazy* cases. The *Nelson* case held that the state could not prosecute or investigate communist subversion within a state. They went back to the lower court.

What did the lower court do? They held their ground, and when it went to the Supreme Court again, the Supreme Court capitulated. We would have more of that in this country if our lower Federal courts would hold their ground.

This whole thing is wrapped up in the integration question. My friends, you read the decisions last fall. If I ever read political decisions, it was then. The new members of the court who did not participate in the hearings adopted an unheard of thing by stating that they were bound by or that they believed the decision in the *Brown* case was correct. As a result of this we have some weak-kneed Southerners who have been going over the South hollering that integration is inevitable and at the same time stating that they would accept token integration, though forced to do so by Federal power, and that they could contain token integration. One of these men gave as his reason for capitulating that he didn't want to be another Faubus. Great goodness! There is no forced integration in Arkansas even though all the power of the Federal government has been focused against Arkansas as the first state to try it.

I talked to one of the leading politicians of the United States, a man high in the councils of one of the major political parties. He made a statement which I believe. He said, "If you will open a campaign office for Faubus in Chicago, and one in Cleveland, and one in New York, you would be surprised at the reaction that you got." My friends, what we have got to do is stand our ground and simply say, "No, you can't force integrated schools upon us." This thing of gradualism is a deadly doctrine. Once that dam is breached, there is no turning back. I don't have to tell you that the real meaning of token integration, as it is used in areas of the South, is nothing but massive integration, and the men who preach it know it. It is used by cowards and by politicians who would betray their people because of weakness, or because they desire to promote themselves in public office on the national scene at the expense of their people. We can't compromise, and we are not going to compromise.

Let me tell you that when we close the schools, if we will give the private schools a chance to be organized and function, before some weak-kneed fellow runs around and says, "We have got to take a few of them; it is inevitable; We can handle it;" then your private school system will be a success. The weak points in the South today are the big business men, because many of them are afraid they'll lose money. They say, "We have got to accept some integration." That was true in Little Rock where the country club precinct voted for integration. That was true in Virginia. There is a labor union in Front Royal, Virginia, that has financed a private school there by taking the dues of the members each pay day. That private school has been a success. There are two

counties in Virginia, Prince Edward and Floyd, which have abolished their public school system.

My friends, the people of the North would not stand for the abolition of the public school system in the South. The best way in the world to call their hands is, when we have to, to close the schools, and let them stay closed. You will have a hue and cry from Maryland to Maine that in the national interest we can't stand for such a thing. What we have got to do is fight the weaklings who say, "Let's yield, let's compromise, let's take a few."

My friends, I have said a number of times in Mississippi, and in other states, and I am going to say it again, that it is absolutely essential that we be aggressive, and that we lay our case in the court of public opinion north of the Mason-Dixon line. We can't sit here and do nothing while the rain of propaganda through the medium of the press, television, radio and magazines beats down upon us. The Legislature of Florida passed a bill which provided that Florida would put up half a million dollars for the South to use in its defense when joined by four other southern states with an equal amount. I know it is essential that we use state funds to mobilize public sentiment. and to continue the trend in our favor over the nation. When we do it, we not only have nothing to fear, but we are going to win a great victory because, thank God, the great majority of Americans think alike and they are allied with us in this fight.

I thank you.

Mr. Thomas H. Watkins of Jackson presented the Report of the Committee on Judicial Retirement. Upon motion and second this report was adopted.

Mr. George E. Morse of Gulfport presented the Report of the Complaints Committee. Upon motion and second this report was adopted.

Mr. Meredith Wood of Brookhaven presented the Report of the Committee on Taxation. Upon motion and second this report was adopted.

Mr. Dixon Pyles of Jackson presented the Report of the Conference of Local Bar Associations. Upon motion and second this report was adopted.

SATURDAY, JUNE 13, 9:00 A. M.

Judge Tom P. Brady of Brookhaven presented the Report of the

Code Study Committee. Upon motion and second this Report and the Report of the Junior Bar Section was adopted.

Mr. C. Sidney Carlton of Sumner presented the Report of the Lawyer's Business Affairs Committee. No action was necessary on this report.

Judge Leon F. Hendrick of Jackson presented the Report of the Supreme Court Building Committee. No action was necessary on this report.

Mr. Bidwell Adam of Gulfport then introduced Governor Orval Faubus of Arkansas, who delivered the following address.

ADDRESS OF GOVERNOR ORVAL FAUBUS

Thank you, Mr. Adam, Mr. President, officials of the Bar Association of the State of Mississippi, its members and guests. You do me great honor, and I deem it a great privilege to have the distinction of being invited to address you today. Being an ordinary layman among a group of learned people, I must admit to you that I face my task with some trepidation in my effort to discuss with you what I consider to be the greatest questions of this century, and certainly some of the greatest in the field of law and constitutional government that have faced this nation during its history. Soon this Republic will be 200 years of age. There are many things which lead us to wonder whether we can continue for the remaining 18 years, as a republic of free men under the precepts of democracy, until we reach that 200th anniversary.

Many of my close friends know that one of the great unfulfilled ambitions of my life was to be an attorney. Unfortunately, I went to Commonwealth College where they did not teach law. I found that it wasn't a proper place for any sort of learning, unless you wanted to be trained in the elements and doctrines of the left wing philosophy of that time, so I left and went back home. Therefore, I did not attend any college except by taking correspondence courses from the University of Arkansas, and that was on a very limited scale. Following my return from the war and my separation from the service, I went to the University and applied to become a special student in the field of law, and was accepted. Then I had an opportunity to purchase the newspaper at Huntsville, and was offered the appointment as Postamaster. Being a man of modest means, there was no time left to study law, and so it is an unfulfilled ambition of mine. Now it is quite possible that if I had studied law and had become successful, I might no have had to strive so hard in other fields, and I might not even be here addressing you in the role which I now play. It reminds me of the man who did not learn to

read and write and went down one day and applied for the job of janitor of his church. They found that he wasn't able to read or write and he was not given the position. He went out into the world, entered the field of business, and made a fortune. This was thirty or forty years ago. He came back home and was welcomed as a most distinguished son. He was giving great donations to the church which had failed to employ him, and had contributed thereby to its progress. A member remarked to him that there was no telling what position he would now hold had he been able to read and write. The man replied that he would probably still be janitor of the church.

Ladies and gentlemen, I sometimes think that if most of us were as smart as some of the sociologists in this day and age want us to be, we would lose the game of democracy and the struggle for the freedoms and liberties which we have known. I would like to read for you some quotations. You will probably recognize them.

> "The Supreme Court has been usurping the rights reserved to the states by the Constitution. The Supreme Court has been making hasty, impatient decisions without proper judicial restraint. But recent decisions raise considerable doubt as to the validity of the American boast that we have a government of laws and not of men. The development of immense power of the Supreme Court in both state and national affairs is second only to the increasing dominance of the national government. It is not merely the final arbiter of the law. It is the maker of policy in many major social and economic fields. It is here that we feel the greatest concern and it is here that we think the greatest restraint is called for."

These are not my words. These are not the words of any states' rights advocate in the political field at the present time. These words are in the report adopted last year by a conference of Chief Justices of the state supreme courts of the United States. These eminent jurists represent all the states and two territories. This unprecedented report strongly condemning the United States Supreme Court, or the "Supreme School Board" as it has now become, in the language which I have quoted above, was adopted by thirty-six favorable votes—four and a half times the eight votes that opposed it. What brought forth this condemnation of the highest judicial tribunal in the land by the most eminent jurists of the various states of this Union? A number of things. Not the decision of May 17, 1954, in itself, because such condemnation by some of the chief justices might not have been made upon the basis of that one decision, but upon many of them. You are familiar with the fact, and I won't attempt to recite the details, that in a certain state of the Union, the Bar Association of that state promulgated certain rules

and regulations to prohibit the practice of law by known and avowed Communists—those who advocate the overthrow of existing state governments and our national government by force and violence. Acting upon these regulations and policies adopted by the Bar Association, laws were passed in that state by the people's representatives, the Legislature. Soon there came along a fellow who applied for admission to the Bar, and took the examination. He was known to be, and did not deny that he was an avowed Communist, and, therefore, advocated the overthrow of the government by force and violence. He was denied by the Bar Association a license to practice law. He appealed to the state courts, and the state courts upheld the Bar Association. He appealed to the United States Supreme Court, and the lower courts and the Bar Association were overruled. They were compelled to give this man a license to practice law in that state. That occurred not in the South but in Warren's California.

Then, there was found about the same time in the East, a known and avowed communist who was a teacher in a school. The School Board became aware of it, and, desiring to prevent any such alien teaching of the children of that district, dismissed the teacher. The teacher appealed to the courts of the state. The lower courts and the state supreme court upheld the school board in its decision. The appeal was carried by the individual teacher to the United States Supreme Court, and there the lower courts and the school board were overruled. They were compelled to reinstate in the school-room this known and avowed communist, and to pay him two years back pay which had been lost during the period of litigation. This did not happen in the South. It has happened in New England.

There were other states nearer to us—Kentucky, Tennessee and Indiana to name three—whose lawmakers, knowing of the world-wide struggle between the forces of totalitarianism with those who believe in the precepts of democracy and the free world, sought to protect their own state governments and the nation at large by prohibiting subversive teachings and advocacies within the state, especially those calling for the violent overthrow of existing state governments and the federal government. Sometime after the laws were enacted certain individuals were arrested and charged with subversion—the teaching of the violent overthrow of our form of government. They were tried in the courts, having to their benefit all the safeguards known to our judicial system. They were convicted upon the evidence that was available, and they were sentenced and their punishment prescribed according to law. These subversives appealed to the higher courts of the state, which upheld the convictions. They appealed to the United States Supreme Court, and the convictions were overruled. You know, it was said in

that decision that you cannot prohibit the *advocacy* of the violent overthrow of the government. You have to wait until they *attempt* it before anything can be done.

Now I wish to cite two recent decisions of the United States Supreme School Board. There is a basic precept of law which has been firmly implanted in the minds of our people in all sections of this nation, and in all ranks of its society. It is that no person, under our Constitution and the laws of our state or nation, can be placed in double jeopardy. A recent decision of the United States Supreme Court has nullified that principle, another of the constitutional guarantees of freedom under our Bill of Rights.

Then more recently, only a few days ago, another decision of the United States Supreme Court has jeopardized another of the liberties or safeguards which we thought was guaranteed to us by the Bill of Rights. Remember the history of James Otis and the writs of assistance. This great orator of the American Revolution stated that a man's house is his castle, and that so long as a man took refuge in his own home he should be as safe from molestation as a knight in his castle. Acting upon the advocacy of this great orator of the Revolution, when the Colonies won their independence and the Constitution was drafted and adopted, this safeguard was placed in it. Now, under this ruling of the Supreme Court, all that any tyrannical form of government which might spring up in Washington needs is to clothe its agents in the guise of health inspectors, and they can go into homes for any reason to look for anything, under the pretext that they are looking for cock roaches or rats, in the same manner as the secret informers of the agents of Hitler or the secret police of Communist Russia. I think we had better begin to look for the rats some other place.

The first ten amendments are the Bill of Rights of our Constitution. All close students of history tell us that it became readily apparent that the Constitution, after its adoption by the constitutional convention, would not be ratified by a sufficient number of states to put it into effect, unless it was clearly understood by the people that it would be immediately amended by the first Congress. A number of states ratified it with this understanding. In fact, the acts of ratification, still available for reading in some states, provided that it was effective only upon a successful adoption of certain amendments. That is the reason the very first session of Congress adopted the first ten amendments to the Constitution of the United States, and these ten amendments have since that time become known as the Bill of Rights. The First Amendment contains this phraseology: "Congress shall make no law prohibiting the right of the people to petition the government for a redress of grievances."

Shortly after the September crisis in Little Rock in 1957, two students in a large school in Illinois petitioned the school authorities for segregated classes. A number of the other students signed the petition. Whether this was done for a prank or whether it was a sincere expression of those students matters not. As a result of their action, the two circulators of the petition were immediately suspended from the school and arrested by the authorities. Charges were placed against them, and they were threatened by the judge with even further reprisals should they give countenance to any such activity in the future. Contrast that, if you will, with the rulings of the courts concerning the right of a citizen to be a communist and to advocate, not merely the overthrow of the government, but its overthrow by violent means, which has been upheld by the federal courts time and again. As the Lieutenant Governor of our state said some time ago, a person who is a known and avowed communist can receive more consideration in the Federal courts of this day and age than can a segregationist of any color.

The Second Amendment to the Constitution says: "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." I think this amendment was very clearly violated in the federalization of the Arkansas National Guard in September of 1957, not in order to defend the nation, not in order to use the troops because they were needed to safeguard liberty and the welfare of the nation and its people, but in order to deprive the state and its people of the use of said militia. Never before in the history of the Republic has such action been taken by the Federal authorities. Yet, the orders came to me to "transmit through you" the order to federalize the Guard. That is the way it has always been done. That is the way the law prescribes. That is the way it is set up in the Federal code. I declined to transmit the orders. Then they went to the Adjutant General, and the Assistant Adjutant General and then said, "We will go on down the line until we find someone who will transmit the orders." Conceivably the order to federalize 10,600 Guardsmen could have been issued by a corporal or private first class. These were unprecedented actions in the history of the Republic!

The Third Amendment says: "No soldier shall in time of peace be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law." The sending of 1,200 Federal troops of the 101st Airborne Division to Little Rock to occupy any place they saw fit seems to me to be clearly an infringement of the rights guaranteed to the state by this amendment to the Constitution. The Federal troops quartered themselves on state property without permission, and encamped upon and occupied the school grounds of Little Rock, an institution which is supported entirely by state and local

funds. They even occupied private property for a time, and to some extent. They chased people off the lawns and front porches of their own homes, and did not allow them to return for hours.

The Fourth Amendment reads in part: "The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated." The recent ruling of the Supreme Court already mentioned is the first major infringement upon this article of the Bill of Rights in the history of the Republic.

The Fifth Amendment reads in part: ". . . nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb." I have already cited to you the decision which now nullifies that provision of the Bill of Rights.

Amendment Six reads in part: "In all criminal prosecutions the accused shall enjoy the right of a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed." You are all aware of the recent efforts of certain so-called civil rights advocates in the Congress to pass a law taking away the right of trial by jury. This would clearly have been an infringement of this constitutional guarantee. Thanks to those constitutional lawyers and those who want to retain the Constitution, both in the South and North, that this provision was defeated in the civil rights measure which was before the Congress some months ago.

Amendment Nine reads: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." Simply because some right may not have been enumerated, this amendment was put in specifically to cover any omission or oversight by those who drew up the amendments or those who framed the Constitution. I think falling in that field is one right that has been precious to the hearts of all free people upon the face of the earth, and that is the right of freedom of choice as to associates which is now being taken away.

And the Tenth Amendment reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people." That final safeguard granted to the Federal government only those things which were specifically set out in the Constitution as being granted to it, or which were specifically set out as being prohibited to the states.

So we come to the Supreme Court decision of May 17, 1954. In this connection, we hear a great deal of the phrase, "Supreme Law of the Land." Who makes the laws of the land? The Congress, for the nation, and the legislative bodies, for the respective states. These are the only law-making bodies. No law can be changed and no new law can be made except through the functions of Congress or the State Legislatures.

If we are to accept the phrase "Supreme Law of the Land" as coming from the United States Supreme Court, then what was the law of the land on May 16, 1954? The law of the land and the laws of the states were that "separate but equal" facilities were constitutional.

If "separate but equal" was the law of the land on May 16th, then what brought about the change in the law from one day to the next? Had our Constitution been abolished and a new one written? No. Had our Constitution been amended as provided for in that document itself? No. Had Congress changed the law, thus making necessary a new interpretation by the Court? None of these things had occurred. Therefore, if the law changed from one day to the next without any of these actions taking place, then the Court must have made a new law itself. All of us who are informed citizens know beyond any peradventure of a doubt that the making of laws is not within the scope and jurisdiction of the Court and that the courts have no authority in this field whatsoever.

Then, if the Constitution was not changed or amended, and no new law was passed, and the Supreme Court has no power to make a new law, we must accept as a basis for the Court's ruling that it, the membership at that time, had decided that all the previous rulings over a period of almost one hundred years had been in error, and that the court was taking upon itself the grave responsibility of correcting this error without any action of the people's representatives or by the people themselves.

All of you in the legal profession know that precedent helps to make the law, and precedent is what you have, without exception, for the "separate but equal" doctrine.

Then if the Court was making this ruling on the basis that the other rulings had been error, might not this ruling also be error? And if that be the case, may not the people oppose the ruling as being error?

I say that the people may oppose it and that they have that right as free citizens of this Republic just as did the citizens of the Republic in the 1850's when they properly opposed the Dred Scott decision, which was later overruled and nullified.

Samuel B. Pettingill has been quoted in the December, 1958, issue of "Human Events" as having this to say: "But more important than integration or segregation is the preservation of the Constitution against the brain-washing of the American people now going on to support the curious notion that a decision of the United States Supreme Court, any decision, is the law of the land."

President Roosevelt said in 1930: "The preservation of home rule by the states is a fundamental necessity if we are to remain a truly united country. We are safe as long as the individual home rule of the states is scrupulously preserved and fought for whenever it seems in danger."

Again, Congressman Pettingill said: "It is the maxim of the law

centuries old that the intention of the law-giver is the law." As the Supreme Court once said (when it had wiser members), "The whole hope of the constitutional construction is to give effect to the intention of the framers of the instrument and, additionally, to the intention of the people in adopting it."

As evidence that the proposing of the Fourteenth Amendment by the Congress was not intended to forbid the establishment and maintenance of segregated schools, the Congress at the same time passed a law *requiring* segregated schools in the District of Columbia. Also, the state legislatures, in ratifying the Fourteenth Amendment, passed statutes requiring or *permitting* segregated schools. In our own state of Arkansas, when we were under carpetbag rule, when about one-third of the members of the lower house were Negroes and a little more than one-third of the members of the upper house were Negroes, when the state was entirely dominated by scalawags in our own midst and carpetbaggers from the North, aided and abetted by the military rule, both white and colored members of the Legislature passed laws setting up segregated school in the state of Arkansas. There was no question about it then. So if we would take this maxim of the law which is centuries old, that the intention of the law-giver is the law, then the intention at that time was that the states had the right to set up segregated schools within their boundaries if they wished. There is not a word in the Constitution which gives the Supreme Court the power or right to enact laws or amend the Constitution by giving it meaning which the proposing Congress or ratifying legislatures or the people did not intend it to have.

Congressman Pettingill also said: "The only persons who have the power or right to amend the Constitution are the people, in the manner set forth in the Constitution. The only persons who have the power or right to enact Federal law are the members of the House and the Senate and the President by his approval. This is what is meant by government of law, and Congress has never said that segregated schools are against the law." This quote is from Pettingill, a Northerner.

Thomas Jefferson wrote:

> "It is a very dangerous doctrine to consider the judges the ultimate arbiters of all constitutional questions. The Constitution has elected no such single tribunal." Jefferson further wrote: "The germ of dissolution of our Federal government is in the Constitution of the federal judiciary; an irresponsible body, working like gravity by night and by day, *gaining a little today and a little tomorrow,* and advancing its noiseless step like a thief, over the field of jurisdiction, *until all shall be usurped from the states,* and the government of all be consolidated into one. To this I am opposed; because when

> all government, domestic and foreign, in little as in great things, *shall be drawn to Washington as the centre of all power, it will render powerless the checks provided of one government on another, and will become as venal and oppressive as the government from which we separated.*"

How prophetic were his words.

George Washington said, speaking of the division and distribution of powers:

> "If, in the opinion of the people, the distribution and modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation, for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."

Therefore, I would say to those who are sincere integrationists—who believe in it sincerely—that they have that right under the Constitution and they have the right to advocate it. But they have no right to put it into effect by usurpation, for even from their viewpoint, while it may in this instance to them be an instrument of good, it is, as Washington said, "the customary weapon by which free governments are destroyed."

The point which I wish to make from all of this wisdom of both the past and the present is the inescapable fact that the safeguards of liberty enacted for the protection of the people are fast being whittled away by the illegal usurpation of powers by the Federal government, principally by the United States Supreme Court.

What of the racial question in relation to these problems? It is merely one facet of the problem. It is just one of the many points of conflict. Because of its inflammatory nature, it has been highlighted out of all proportion to its true relation to the overall problem of the division of powers and the retention of constitutional government in America. The way most of us feel in the South, and the way most segregationists feel, is fairly well summed up by Noel Smith, Editor of the Baptist Bible Tribune of Springfield, Missouri. In speaking of the Negro, he writes:

> "I not only respect this man, I have and always have had a deep and genuine affection for him. I recognize the inherent dignity of his person. His place, so far as I am concerned, is wherever his character and ability lead him. I want him to get the same value for his tax dollar that I get for mine. I want his child to have the same advantages and opportunities that mine has. Since the Great Creator Himself is no respector of persons, neither am I, and if Whites and Negroes wish to live together, eat together and attend

school and church together, I am in favor of their being permitted to do so."

Those are the words of Noel Smith. ". . . but I am opposed," continues Smith, "I am opposed to the Supreme Court of the United States forcing Whites and Negroes to associate themselves together in this way, against their mutual desires and against their mutual interests. I believe in the right of voluntary association. I am opposed to the Supreme Court's proposition of legal compulsion."

"As to the South, the radicals and egg-head intellectuals are all the time screaming how the 'poor Negro is being persecuted' in the South." I am quoting from the Negro Year Book for 1949, published by McMillan. The book was edited by Florence Murray, a brilliant Negro newspaper writer. Here is what we find in the words of this Negro writer in compiling this book.

On Page 200 we have a list of Negro lending institutions. Fourteen Negro banks are listed in the United States. All but two are in the South.

On pages 205-209 are listed the local business leagues and chambers of commerce. There are 124 such organizations in the United States. All but sixteen are in the South. Ohio has the largest number north of the Ohio River. It has four, the exact number as are in Arkansas. In Governor Williams' Michigan there is listed but one. The Chicago Tribune's Illinois has but three. Chief Justice Warren's California has but one. Georgia has eight, and Texas has forty-two. Not a single one is listed in Indiana, which includes Indianapolis, to which Negroes have been going from the South since the button-shoe age.

Then on page 201 of this book we read:

> "Among the larger Negro-operated (insurance) agencies which had more than $25,000,000 worth of insurance in force in 1944 were Atlanta Life Insurance Company, Atlanta, Georgia; North Carolina Mutual, Durham, North Carolina; Supreme Liberty Life, Chicago, Illinois; University Life, Memphis, Tennessee; Pilgrim Health & Life, Augusta, Georgia; Africo-American Life, Jacksonville, Florida, all of these having more than $25,000,000 in force. Only one was outside the South."

The Negroes' own records show here and everywhere else that the greatest progress the Negro has made and is making has not been in Africa, not in any country dominated by Great Britain, not in the East, not in the North, not in Warren's West, but in the South.

There are more Negro college presidents in Arkansas and Texas than there are in all the rest of the nation outside the South.

Now what of the physical aspects of the Little Rock situation and

the racial question in Arkansas itself? In the state at large in Arkansas more public schools have been voluntarily and peaceably integrated than in nine other southern states combined. There are more Negroes in one public integrated high school in Arkansas than there are in the integrated schools of the entire area of the so-called moderate state of North Carolina. And you know *Time* and *Life* magazines try to make great moderate states at the present time out of North Carolina and Florida.

The University of Arkansas and all institutions of higher learning except two have been peaceably integrated in Arkansas. My own son attended one of these state-supported integrated colleges. Where are Vice President Nixon's children—the star honorary member of the N.A.A.C.P.? They are in a private segregated school. He entered them in the public schools in Washington, D. C., when he could find some that were segregated; then when some Negroes moved in he took them out and they are at this time in private, segregated schools. Where are Eisenhower's grandchildren? They are in private, segregated schools. Where are the children of the only member of the United States Supreme School Board who at the present time has children in school? They are in private, segregated schools. Where are the children of our chief critics in Congress? Why, they have moved over to Virginia where they can find segregated public schools or private segregated schools. "Consistency, thou are a jewel," but jewels in public life are damn hard to find.

What further of the situation as it affects Arkansas? All forms of transportation have been integrated in Arkansas for some time. Both the Democratic and Republican parties of Arkansas have Negroes as members of the State Central Committees. It was at my behest that Negroes were put on the State Democratic Committee after my nomination for Governor in 1954. The Republican Central Committee has Negroes on its committee. The Negroes are basically supporting the Democratic Party. It was recognition which was just and fair. I make no apologies for it. But now, since the Legislature has provided that the members of the committee must be elected, of course there are no Negroes on the Central Committee in Arkansas.

In the field of state service for the members of all races (but for the Negroes specifically), the McRae Sanitorium for Negro tubercular patients is one of the best run facilities in the state, under the able leadership of a Negro doctor and a staff made up entirely of Negro personnel. A. M. & N. College for Negroes at Pine Bluff receives the highest appropriation per student of any institution of higher learnin the state of Arkansas by far. If the Whites were receiving proportionately more per student, you would hear the greatest howl ever from the N.A.A.C.P. about discrimination. The institution for delinquent

or wayward Negro girls is a new, modern facility, much finer than that provided for the White delinquent girls in Arkansas. Then go to Little Rock itself and look at Horace Mann High School from which the famous nine came (paralleling the nine in Washington, I suppose) to enter the White Central High School. They left a new, modern school. In the *Architectural Record* of September, 1957, you will find Horace Mann High School rated fifth in the entire nation as to utility, beauty, comfort and modern design. That is the Negro school in Little Rock, Arkansas, as contrasted with Central High School, which is thirty years old, two or three stories high, and has none of the modern concepts which are now available. Another small example—there is a drinking fountain in each room at Horace Mann. There is one on each floor in Central High School where the Whites attend school.

A great deal has also been said about civil rights. In the voting field there has been no difficulty in Arkansas. For many years past, each and everyone has voted freely and there has never been the slightest incident involving voting rights since I enterd actively the field of state politics some ten years ago. In fact, the Negro block vote of some 4,000 decided the recent election in Little Rock, Arkansas.

I am sure that many of you and millions of others are unaware of the excellent relations which have existed between the races in Arkansas or other places in the South. Many of you are likewise unaware of the great progress that has been made by all people of the state, regardless of race, creed, or color. There were many things that could have been written that would have reflected credit upon the people of Arkansas. All of these facts and many others which I could mention were freely available to the host of reporters that swarmed like locusts over the city of Little Rock, Arkansas, in the crisis of 1957. And they still come. I interviewed reporters from behind the Iron Curtain, from Hong Kong, from China and Japan, South Africa, the countries of South America, Scandinavia, France, Britain and every state in the Union. Many of them came from Canada. Almost every television and radio station had a representative in Little Rock. They declined to relate the facts, all of them, as they found them, or else certain facts were deleted by their editors after the receipt of their stories.

This situation has become known as the "Paper Curtain." It exists not only in the South, but throughout the nation. A striking example of this was a recent occurrence in the City of Washington. I was privileged to attend the dinner given by the Good Government Society at which the George Washington awards were made to Senator John L. McClellan of Arkansas and Admiral Lewis Strauss. There were more than 800 people in attendance from all over the country. The oration of the evening was made by Senator Barry M. Goldwater of Arizona.

The presentation to McClellan was made by Congressman Charles A. Halleck, the Republican leader in the House. The award to Admiral Strauss was made by Senator Harry Byrd of Virginia. These are prominent men of outstanding ability. Many things were said which I, as a citizen, as a public official, as a newspaper man, thought were newsworthy. I looked in the newspapers of Washington, D. C., the next day to see what had been said about this meeting. Not one single word could I find of this most newsworthy event. Why? I can reach only one conclusion at the moment. They did not say the things which were pleasing and suitable to the pseudo-liberals and fuzzy-minded leftwingers who today are writing most of the news and publishing most of the big newspapers and magazines of this nation. I have been a close observer of this situation for some time. There is too much effort on the part of the national press in both the newspaper and magazine fields to write the news as they want it to happen, not as it occurs. They color, slant, and distort the stories to conform to their personal views and ideologies, instead of reporting the facts as they are. Ladies and gentlemen, I should know it well. I have faced all sorts of questions delivered or asked in every conceivable form and manner. I have laid open my administration to all of them. They have come and they have checked, they have looked and investigated. You may do well today and you may do well tomorrow and the next day and so on for a long, long period of time and nothing is said. But some day you slip up when you are out of sorts and make one mistake, then it is headlines from Maine to California and remains in the headlines week after week. This trend is nationwide and has progressed to an alarming extent.

Oh yes, I remember when I was elected Governor in 1954. I emerged from a bitter campaign and from charges of communistic leanings directed at me, growing out of my brief connection with the red Commonwealth College. I received far more favorable publicity at that time than I have ever received since. The many worthwhile accomplishments that may have been made in the state of Arkansas during my administration have gone unnoticed. In this regard I do not refer to the state versus federal power struggle in which I have been engaged now for more than a year and a half.

I recall my first trip to Washington after I was elected Governor. All the contacts were made and the messages went ahead of me on the telephone and on the wires. I was put in touch with people who introduced me to certain parties. I met Drew Pearson, and got acquainted with him. I was invited to appear on his nationwide television and radio program. I was introduced to other writers of national fame. I received generally favorable notices by the ultra-liberal press and commentators of that time. And among those who promoted my favorable press cover-

age was the man who is now my chief critic, Mr. Harry Ashmore, executive editor of the *Arkansas Gazette* of Little Rock, the oldest newspaper west of the Mississippi, and at one time the largest in Arkansas. Ladies and gentlemen. I mention these things to make another point. There has been little, if any, change in my position on any of these questions of government from 1954 to the present time. Yet to them at one time I was a hero. Now I am a villain simply because I cannot be controlled and cannot be dictated to concerning my decisions in this controversial field of state versus federal power on the racial question.

My contention and my stand as an official and as a citizen has always been and is now, that the people only, are sovereign; that power is inherent with the people; and that it must continue to be so if we have democracy and are to continue to have a democracy. I contend the people are the best judges of what is good or what is bad for them. I reject, as the founding fathers rejected, the theory of government that those in authority should hand down from above all the decisions on our problems without any consultation with the people, to the complete disregard of the wishes of the overwhelming majority. Those are police state methods, and not democracy.

Secondly, we all recognize that the people may make mistakes. Is there anyone that is infallible? But, so long as the people have the right to make a mistake, they also have the power to correct it. Unless we observe this fundamental precept of democracy, then liberty and freedom are on the wane. We must reaffirm this basic precept of democracy: that rule is by the "consent of the governed," or our nation will go the way so many others have gone in the past.

Never as an idealistic youth reading of the goodness of our leaders, the greatness of our history, and the majestic principles of freedom, as embodied in our Constitution and our precepts of democracy, did I ever dream of all the forms of pressure and inducements that can be brought to bear upon an individual—pressure and inducements to forsake the sentiments and ideals dearest to the American heart by changing my policies in matters such as have faced me in the state of Arkansas.

The harassment and the hammering is constant and never ceasing. They pose as friends in an effort to persuade, beguile or deceive. They bring constant pressure in the form of never-ceasing criticism in the press, and by other means. They attempt to cow and subdue by threats of overwhelming force which cannot be successfully resisted. Then they offer, on the other hand, a period of security from the never-ending pressure and harassment, a period of peace for one's self, of tranquility for one's family, and in addition, praise, which is sweet to the ears of any individual, and possible advancement, which beckons to most good

men. There are few indeed, who will not pause to consider these two alternatives, and, having paused to consider, there are fewer still who will not yield.

I want you to retain these thoughts. Can the republic long endure as a union of states with the constant whittling away of the powers of the states and the people? After the unwarranted invasion of the right of the states to control their own schools in the matter of attendance, how long will it be until the school authorities are told what to teach, what books to use, what not to teach and what not to use, what views the teacher must hold and must not hold, and who can teach and who cannot teach? You know these are logical next steps in the usurpation of power, because the groups which seek these powers were never more intent upon anything in the history of this republic than they are upon the brainwashing of the American people.

Look at the trend in the tax field. In 1932, the federal tax was 22.7 per cent, state and local tax was 77.3 per cent. In 1940, the federal tax was 38.6 per cent and the state and local tax was 61.4 per cent. In 1957 the federal tax was 73 per cent and the state and local combined was 27 per cent. In our state of Arkansas, for example, the Federal government takes more money out of that commonwealth in the federal income tax alone than the state of Arkansas gets from all of its tax sources of every nature, both local and state. And then they say that I should not accept federal funds from Washington without accepting federal dictation. Those are our funds. They went up there. They have a right to come back.

We in Arkansas do not wish to tell you in Mississippi or Alabama or Illinois, or any other state of this Union, how to solve your own problems. The right you have to solve them is guaranteed to you under the Constitution in the Bill of Rights, and by our state and federal laws. If we grant that consideration to all other states, then is it too much to ask for Arkansas? I have yet to find anyone anywhere, Yankee or Southerner, who can properly answer that question with a refutation. We have that right under the Constitution, if it can be restored to a sacred, living document and does not become merely a scrap of paper.

You have seen the progression in the state versus federal power controversy. What faces us now? The same thing, perhaps, which the free world faces in its struggle with totalitarianism led by communist Russia. Don't they know that our negotiators over there can have peace immediately if they will give up Berlin? But how long would the peace endure? Piece by piece, the communist seek to take over. So there must be a line drawn somewhere, where it can be said to them—"this far and no further." This must be done because each time we yield to the communists they grow that much stronger and the free

world that much weaker.

That is the same dilemma with which we are faced in regard to the rights of the states versus the Federal government. Yield on this point and accept, as they call it in Little Rock, token integration, controlled integration, if there is any such thing (or intelligent integration—that is what they want us to accept right now), and we will get nine today and ninety tomorrow. It is one grade this year and three grades next year. It is the greatest fallacy and delusion ever attempted to be perpetrated upon a people.

Yes, I grant the right, as I always have—and some of you will disagree with me—that if the people of a community want to integrate, let them go ahead and do it. That is according to the basic precept of democracy, that people have the right to be wrong; that power is in their hands. But if the people don't wish to do so, they should not be compelled. That is where I rebelled in the negotiations with the Federal government after the trip, or during the trip to Newport.

Picture if you will—you in the legal profession can understand it well—this court sitting in a distant city where it hands down a decision in some area of conflict from which a storm is raised. When somebody questions the decision, they say, "Oh, that isn't our problem." Who reaps the storm? The local authorities and the governor of the state.

The federals say, "Oh, this is the law of the land. Now you have got to enforce it." Since when in this Republic have states ever been called upon to enforce federal court orders and federal law? The federals have the agents to do that. I say to you right now, they may again occupy Little Rock, they may occupy Arkansas, they may occupy the South, but, so far as I am concerned, if the dirty work is going to be done, they are going to do it.

Yes, some of these people of little understanding came and interviewed me time and again and they said to me, "Why don't you go out and tell them (the people) that integration is all right?" I said, "Bring me some proof and if you can show me it is all right, I might do that." But look at the proof you have. In Washington, D. C., before integration, the academic standing of students was two grades above the national norm. Four years after integration, it was two grades below the norm. Their disciplinary problems rose to an appalling extent. Where policemen had never before been known to visit the school, they visited it each week. Moral degeneracy set in to a degree that would be catastrophic to any people anywhere. Look at the report in 1957 of a health agency in Washington where 184 girls under the age of 16 were pregnant in the public schools. Those were the ones that were on record and the report did not take into consideration those not made a matter of record.

In my concluding remarks I would like to cite one or two examples

to show that we do not fight alone on this question in the South. Before Little Rock I was a comparatively unknown fellow. I never sought a fight and tried to get along without them. The mail for the Governor's office was usually a little bundle, perhaps forty letters a day, or at most two, three, or four hundred—depending upon the interest of the people in certain matters of state government. I was amazed the next day after I placed the Guard about Central High School to prevent the almost certain blood-shed that would have ensued. I had placed them there because there had been purchased in Little Rock 1,150 of these umbrellas with metal points which are sharpened into weapons by the colored people. Switch blade knives had been sold in almost every store to the extent that in three weeks a three years' normal supply had been sold. It went on from that to many other things. In one of the press interviews I said that I had not revealed all of these things before. They jumped on me hard. They said, "Now reveal them." I started to tell them and they cut me off quickly.

At Western Union they delivered 600 telegrams the first day, the second day they had doubled the force at Western Union, the third day they tripled it, and put employees on extra hours just to take care of incoming telegrams. I got more than 400 from one little town in Florida. One wire from Louisiana had 2,365 individual signatures. They came from church groups, civic clubs, parents' groups, family gatherings, truck drivers, labor unions—hundreds of them from across the nation, both North and South.

They began delivering mail to the office in sacks and they delivered at least two sacks of mail a day for a period or six or seven weeks. We never counted it, but it runs into the hundreds of thousands of communications.

I got curious about this mail, as to whether it was Southern sentiment or whether it had some bearing nationally, so I had my assistants break down the mail and put it into two groups—mail from the South, including the border states, Texas, West Virginia, and Maryland and mail from other sections of the country. When this mail was broken down I found that the areas outside of the South represented 60 per cent of the mail I was receiving, and it was 95 per cent favorable throughout. That is a conservative estimate, ladies and gentlemen.

Not long ago I went to Peoria, Illinois, to address the Illinois Press Association. Many of those people were looking for my horns, of course, when I got there. They still take *Time, Life* and the *Readers Digest* up there. I told them in the beginning that most of them probably felt that they disagreed with me, but that it would be impossible to determine since it is not humanly possible to place one individual in another's position with full knowledge of all the facts and information. I

talked to them more or less along the same lines as I have talked to you. When I finished—and incidentally, it was the largest spring meeting of the Illinois Press Association in its entire history—I got a standing ovation. Then they came by and I spent forty minutes shaking hands with them and one after another said, "We are 100 per cent behind you. Just keep fighting." That is the North. That is the intelligentsia. That is not the rank and file. The rank and file are far stronger for us than the so-called intelligentsia, as all of you know.

Then a Republican Senator from Illinois followed me to my room. He spent two hours visiting with me. He told me they had to have a special session of the Legislature to appropriate money just to pay current bills. They are about to go broke, like "Soapy" Williams' Michigan. The senator told me this: they had to make an emergency appropriation of $3,200,000.00 for direct relief. That $3,200,000.00 was divided—$2,600,000.00 of it to Cook County and $600,000.00 for all the other 101 counties of Illinois. Of the $2,600,000.00 which went to Cook County, it was asked how much went to Chicago proper and how much to outlying areas. Not one cent went to outlying areas. What was the reason? He told me of the mothers of illegitimate broods in Chicago who were drawing up to $550.00 per month— more than I used to get for a whole year of teaching school at $70.00 per month. You will find that not only in Illinois. You will find it in other states.

We were taught in our public schools and in our homes and churches that if you sinned you had to pay for it in some manner; we had to pay either by punishment by the law, the school teacher, or our parents, or by society at large in rejecting you for overstepping the bounds of propriety and decency. But, now you can sin and get a check from the government for it. Ladies and gentlemen, do you honestly think in your heart that the republic can long endure with this sort of thing going on? Who is paying the bill? The ordinary, honest, hard-working people who don't sin are being penalized. If there were some way to award these benefits without penalizing us, without making us pay for it, it wouldn't be quite so bad. There is this tendency in this nation, whereby we are being guided by so-called sociologists who never had a practical idea or a practical thought in their whole lives.

I was interested in a panel discussion at the recent Southern Governors' Conference. It was directed by Price Daniel, Governor of Texas. It concerned narcotics addiction, especially among the youth. There were two sides to the panel, two viewpoints. There were sociologists, federal employees, representing the institutions where the patients were taken and treated in an attempt to cure them. This is good and we should do it and be glad to pay for it. But what did these sociologists say? They said, "Oh, if he gets the habit, if a person gets the habit, he is just a poor,

unfortunate individual and he can't help it. So we should get some dope and just give it to him right on because he gets the habit."

Price Daniel took the viewpoint that the only way to control the dope addict was to have severe penalties for pushers and to confine, even if against their will, those who become addicts, and make them be cured or pay the price. That is what the law has always been. That is what it always will be, and when we get to the point that we reward indecency and sin, and penalize virtue, thrift, industry, and honesty, why in the name of God, you know we can't continue as a civilization and as a nation.

You know what the sociologists told those unfortunate girls in the schools of the District of Columbia—the 184, in a period of seven months, that were pregnant, and less than sixteen years of age. They said, "Oh, it isn't your fault. It is the result of the society in which we live." Don't you know you can't correct people for wrong-doing without penalizing the individual? Why, if there had been anything to the theory that poor environment and lack of money makes criminals out of people, we would have had the biggest gang of outlaws from the Ozark Mountains that ever infested this nation.

In my ten years as a school teacher I never earned more than $420.00 a year. I never had a car. I had to deny myself to live within my means. My father, when we were growing up (my parents had seven children—all of us lived in a three room house including the kitchen), kept books one year on the amount of cash money that we made. It was so darn scarce we had a special name for it. You know how much money we took in that year? $450.00—less than one mother of an illegitimate child can get for one month now in Chicago. Yet, they say it is environment; it is lack of opportunity. If environment makes outlaws, we from the Ozarks would be worse than Dillinger, Baby Face Nelson and all the rest of them.

Why do people oppose integration? Because there is a close connection between the school and the home. It is closer than the church and the home. Children go to church maybe one day a week. They go to school five days a week. You know the children spend more time with teachers than they do with their parents, in comparison with times that used to be. So it is important that they have good associates. Therefore, the subjects children take and the viewpoint of their teachers is most important. These most valuable intangibles of the human heart can be enjoyed equally by members of both races in their own schools. Put them together, force them together, and you utterly destroy these beautiful associations, and you know it as well as I do. Both should be privileged to enjoy these associations in their respective schools. Yet, the critics have assumed that because you have a white school you don't

have a colored school. The greatest need of this day and time is that the truth be known. If proper information is given the people of this nation, we will win our battle overwhelmingly. Because wherever the problem exists people don't like it any better than anyone else. The difficulties in the North are far greater than they will ever be in the South, if they would leave us alone.

I was interested in Gallup's poll recently, which showed how the states outside the South feel about integration. Where there were 10 per cent or less of one race or the other, only 15 or 20 per cent objected to integration. Where the percentage approached a fifty-fifty ratio or there were more Negroes than Whites, then more than two-thirds of all the people outside the South were against integration. We need to let them know the South's problem. Other areas don't have it, but they feel the same about it as the people of the South, as evidenced by the poll.

They say that we fight for a lost cause. They say that we fight for a cause that if not yet lost, will be lost. I fight simply for the Constitution, for the right of the people to govern themselves according to their own inclinations and according to the peculiarities that may exist in their own areas. If you believe in these things, if you believe in the Constitution and the precepts of democracy, the right of freedom of choice, the right to manage your own affairs; if you believe in work, if you believe in decency, honesty, integrity, neighborliness, morality, the sanctity of the marriage vows, and all the things that make us decent Americans and make us a nation of free people, then you may join in the fight. For these are the things for which I fight, with malice toward none, seeking to do injury to no one, but to help all the people within my state, of whatever, race, creed or color, or from whatever walk of life. If these things constitute a lost cause, then we are all lost, and it would be just as well for the Russians to destroy us with atomic and hydrogen power as for us to degenerate into a nation of criminals and immoral, indecent people.

You have done me great honor by allowing me the privilege of addressing you. I apologize for the length of my remarks. I hope that if I have said anything that would offend any one I may be forgiven, for I seek only to serve my people, as Lincoln said: "As God gives me to see the light." I place my faith with the people. When they are ready to reject me I go out freely without malice and without sorrow.

One reason my critics have never been able to shake me completely off balance with all the things I have endured is because I am not afraid of my job the least bit in the world. We must believe in the right of the people to rule, for all of the students of government and of the Constitution say that the intention of the law-giver is the law. Rule is by consent of the governed, and in a democracy the majority must prevail.

Then if we are to have democracy, let the Supreme Court reconsider its grave errors, and as Governor Simpson, a Republican of Wyoming said: "Let them get their cotton-picking hands out of the affairs of Arkansas."

Mr. Quitman Ross of Laurel made a motion that Governor Orval Faubus be made an honorary member of the Mississippi State Bar. Upon second, the motion carried.

Judge Zelma Price of Greenville presented the Report of the Resolutions Committee. Upon motion and second this report was adopted.

Mr. Hugh N. Clayton of New Albany was nominated by Mr. Breed O. Mounger of Tylertown for the office of President of the Mississippi State Bar, and was elected unanimously.

Mr. Gibson Witherspoon of Meridian presented the Report of the American Bar Association House of Delegates Meeting. No action was necessary on this report.

Mr. C. Sidney Carlton of Sumner was nominated by Mr. N. S. Sweatt of Corinth, and Mr. David Cottrell, Jr. of Gulfport was nominated by Mr. Jules A. Schwan of Biloxi, for the office of First Vice-President of the Mississippi State Bar. Mr. Cottrell was elected.

Mr. K. Hayes Callicutt of Jackson was nominated by Mr. James F. Noble, Jr. of Brookhaven for the office of Second Vice-President of the Mississippi State Bar, and was elected unanimously.

The convention then chose as the site of its 1960 meeting, Jackson, Mississippi.

The following Commissioners were elected:

District 1—Cason Rankin, Tupelo

District 2—George E. Morse, Gulfport

District 3—Lester Sumners, New Albany

District 4—Stanny Sanders, Greenwood

District 5—John E. Aldridge, Winona

District 6—E. Harvey Fitzpatrick, Natchez

District 7—Sherwood W. Wise, Jackson

District 8—John C. McLaurin, Brandon

District 9—Herman C. Glazier, Rolling Fork

District 10—Thomas Y. Minniece, Meridian

District 11—John W. Dulaney, Jr., Tunica

District 12—James S. Finch, Hattiesburg

District 13—Wallace Allred, Collins

District 14—Singleton B. Watkins, Jr., Tylertown

District 15—James R. Davis, Columbia

District 16—Ernest L. Brown, Macon

District 17—C. Sidney Carlton, Sumner

District 18—E. K. Collins, Laurel

The Fifty-Fourth Annual Convention of the Mississippi State Bar then Adjourned sine die.

PROCEEDINGS OF THE TWENTY-THIRD ANNUAL MEETING OF THE

JUNIOR BAR SECTION

Held at Biloxi, Mississippi, June 11, 1959

The General Assembly of the Junior Bar Section was called to order at 1:30 P. M., June 11, 1959, in the Buena Vista Hotel, Biloxi, Mississippi, by Mr. K. Hayes Callicutt, President of the Junior Bar Section.

The invocation was delivered by Reverend Clyde H. Gunn of Gulfport.

An address of welcome was delivered by Mr. Stanford E. Morse of Gulfport and was responded to by Mr. James F. Noble, Jr. of Brookhaven.

The first order of the business was the consideration of committee reports.[1] Mr. Eaton A. Lang of Gulfport presented the Report of the Junior Bar Code Study Committee. Mr. James F. Noble, Jr. of Brookhaven presented the Report of the Committee on the Young Lawyer's Seminar. Upon motion and second the above reports were adopted.

Mr. K. Hayes Callicutt of Jackson presented the Report of Activities of the Junior Bar Conference of the American Bar Association. No action was necessary on this report.

Mr. John A. Bellan, Jr. of Jackson presented the Report of the Mississippi Law Institute Committee. Mr. Jay Gore, Jr. of Grenada presented the Report of the Activities Committee. Upon motion and second the above reports were adopted.

Mr. William R. Phillips of Jackson presented the Report on Legal Aid. No action was necessary on this report.

President Callicutt then introduced Mr. Gibson Gayle of Houston, Texas, who delivered the following address.

TODAY'S CHALLENGE

*Gibson Gayles**

The hue and cry against lawyers has always been loud and enduring in nature. It seems that the situation has not improved with time, but, if anything, has worsened. Whenever newspaper or other publicity concerning lawyers appears, it usually involves claims of influence peddling or some other sort of alleged unethical conduct. Legislative bodies are frequently criticized as being dominated by lawyers, as though the

[1]All committee reports are found in Appendix A.

people who elect our legislatures were somehow powerless in the matter and were merely helpless victims of domination by their own chosen representatives. We see the lawyer on television almost invariably depicted as a sharpy, such as J. Blackstone Springem, whose practice consists of attempted bribery of public officials, and others who engage in similar illegal practices.

A poll of the people of Texas taken some years ago indicates that lawyers are looked upon with suspicion and distrust by their neighbors. Few callings were rated so low in the public esteem as the legal profession. The discovery of such information was not surprising to many. Back in 1850, an ungainly looking lawyer from Illinois by the name of Lincoln said:

> "There is a vague belief that lawyers are necessarily dishonest. I say vague, because when we consider to what extent confidence and honors are reposed in, and conferred upon lawyers by the people, it appears improbable that their impression of dishonesty is very distinct and vivid. Yet the impression is common, almost universal. Let no young man choosing the law for a calling for a moment yield to the popular belief—resolve to be honest at all events; and if in your judgment you cannot be an honest lawyer, resolve to be honest without being a lawyer. Choose some other occupation, rather than one in the choosing of which you do, in advance, consent to be a knave."

As an example of the seriousness of the current status of the situation, let me report to you a recent illustration. In Texas, there is a formal ceremony before our Supreme Court when young lawyers receive their license to practice law. The newly admitted attorneys are represented by the graduating student who scores the highest mark on the State Bar examination. Recently, in his response to an address by one of our Supreme Court judges, the graduating student who attained this achievement bemoaned the future which awaits one who seeks to embark upon the career of a practicing attorney. Somewhat apologetically, the young man concluded that the practice of law was no place for him and that he would seek his livelihood in some field of corporate endeavor, where he would not be subjected to the rigors and criticism of a jaundiced public eye.

I submit that something has gone tragically wrong with a system which permits such widespread misunderstanding about our profession. To be sure, we have our shysters and miscreants; but there is no calling which is immune from these. Even our brethren of the clergy have those few in their midst who bespeak something other than holiness and righteousness in their everyday conduct.

Having recognized that a serious situation exists, what must we undertake to do about it? Many speeches have been made on the subject before. It is not recognition of the problem that we need; it is action.

As to those in our midst who are unworthy of holding the position of officer of the Court, the burden devolves upon us to clean up our own house; and having cleaned it, to maintain the high standards of our profession with watch dog vigilance. We can hardly expect to appreciate public opinion toward us if we merely wink at the improper practices which take place in our own group and take no steps to rectify them.

As to the public generally, let us accelerate our efforts to inform the people of the many services rendered to society by lawyers. Let us inform our neighbors of the legal aid clinics throughout our country which are manned by members of the Bar without recompense. Let us maintain our campaign against various forms of law practice by laymen, thereby demonstrating that we cherish our privilege to reserve the lawful practice of our profession to those adjudged to be qualified by education and examination; and that we resent encroachments upon this privilege to the extent that we will not stand idly by and allow others to profit by our apathy.

Let us do our best to improve the administration of justice in our minor courts. Many, many more of our citizens know and are familiar with the workings of our traffic courts than any other branch of our judicial system. We must see that justice prevails and that fair hearings are accorded at this level, else our whole judiciary will be marked and tainted by an unfair appraisal. Along these lines, the Junior Bar Conference of the American Bar Association has worked in past years on two different projects to improve the administration of justice in our minor courts. The first of these is a program entitled "Go to Traffic Court as a Visitor, Not a Violator," with which most of you are familiar. The second of them is the Vanderbilt Program for Traffic Safety, now concluded, which consisted of a comprehensive study of the practices now engaged in by the traffic courts of the various states. It is hoped that by raising the standards of our judges at these levels and by removing the fix from the traffic ticket, as well as other salutary suggestions, we may bring about some long overdue reforms at this level.

There is no other field of endeavor in which the legal profession can do more to improve its standing than in the sponsorship of and participation in Law Day—U. S. A. If any system is ever devised by virtue of which international disputes will be finally adjudicated by rule of law rather than force of arms, it will be to our everlasting credit.

Let us also exert all our efforts toward the elimination of the monotonously unfavorable characterization of the lawyer in all fields of enter-

tainment. Let there be disseminated by the public information committees of our bar associations stories such as the two with which I shall close. These stories are taken from an address by an eminent jurist, for whose knowledge of the law and diligent search for the truth in defense of the rights of mankind, I have the profoundest respect. They are the type which, unfortunately, we do not read or hear about these days.

One lawyer I want to tell you about represented a king. This king had come from a long line of kings. There came a time when people in his country became dissatisfied with the kind of government they were getting. Some of these dissatisfied citizens were good, patriotic, unselfish men. Some, unfortunately, were self-seekers who were willing to trample on the rights of others to advance their own social, economic or political advantage. The country I am talking about was France. A man named Malesherbes lived there. He was a lawyer and a conservative in politics throughout his entire life. He served under his king in many governmental capacities. From time to time Malesherbes protested laws that encroached on the religious and political beliefs of people. Malesherbes' suggested remedies to alleviate the suffering of the people were usually discarded. Later the French Revolution began. Malesherbes had then retired from the practice of law; he was over 70; he was safe; his family was safe. The king was arrested, charged with various offenses newly invented to punish him for conduct which had been lawful when done.

Upon the arrest of the king, Malesherbes, who was away in safety, wrote a letter to the president of the National Convention. His letter, which I do not attempt to quote verbatim, was in substance this:

> "Unfortunately, I am busy and do not know whether it is the intention of your body to give the king the right to counsel in the trial which he is about to have. I do not know how to reach him else I would write him instead of you. I am writing to know if you will permit the king to have counsel. When the king was in power he gave me a position of great honor. Now that he is in trouble I tender him my services. Will you please communicate this to the king if it is not contrary to your rules."

Malesherbes was permitted to become counsel for the king. Every day he visited the king in jail, disregarding the advice of friends that he was jeopardizing his own life. He would not believe that France would move so far from order and freedom in so short a time that a lawyer would be punished for honest representation of a client. And so he continued to defend the king before the National Convention. And he did it well, considering that the trial was conducted by a legislative body governed by no rules except those it made from day to day. Of course the vote of the convention was "guilty." The result is well known to all of you.

After the king was guillotined, Malesherbes was arrested. But Malesherbes' accusers did not give him a trial with the protections that courts afford. Zealous revolutionaries would have none of that. Confident that they had a monopoly of wisdom, truth, and virtue, enabling them to provide a utopian solution for all the ills of society, they had done away with court trials, and set up revolutionary tribunals in their place. In these tribunals they had established new procedural rules calculated to bring about sure and certain conviction of those thought disloyal to the revolution or to its ambitious leaders. By these devices an accused could be arrested, denied a lawyer, found guilty on extorted confessions or on the gossip of informers, tried on confessions and rank hearsay evidence, and rushed to his death.

Malesherbes was convicted by the revolutionary tribunal for having served as the king's lawyer. He was sentenced to the guillotine. His family was also convicted. All were carried to the guillotine together. Just before he was executed Malesherbes was required to witness the death of his daughter and his grandchildren, all guillotined becaused they were kin to him. The men responsible for this cruel thing were not all evil perhaps, maybe not even sadistic under ordinary circumstances. But having unrestricted power, and moved by powerful impulses of ambition, prejudice, and fear, they destroyed the established safeguards of society. Because our ancestors feared power like this, they wrote the Bill of Rights. Malesherbes was true to his profession. He walked unafraid to his death. An article about the other lawyer is headed, "Death of Veteran Lawyer Creates Sentimental Void in Court Scene." And it goes on to say: "The August criminal term of this county which adjourned yesterday at Wentworth after nearly a week of mostly minor dealings was probably the first term of Superior Court in this county in 45 years without the appearance of veteran lawyer Wesley M. Jones. Jones, who died here last Saturday after three weeks of illness, began his practice here in 1907. During his 45 years as attorney in this county he had carried on one of the most vigorous and energetic law practices in the legal history of the county. A zealous, determined man with a firmly aggressive chin, an unruly forelock which was grayed but not tamed with age, and a voice which could rake witnesses over the coals of evidence and demand the emphatic attention of juries, he appeared in literally thousands of cases. It was said of him by fellow barristers and laymen alike, that "Jim" Jones will work as hard for a client who pays him a three dollar free, or none at all, as he will for a client who pays him a thousand dollar fee. Whether he ever received a lavish fee is beside the point. He never diminished his labor, he was known as a lawyer who never shirked a case . . . ." Let me repeat that last clause to emphasize it and what immediately follows. ". . . he was known as a lawyer who never

shirked a case, and who upheld with remarkable vitality the right of all men to earnest counsel. His face and forceful personality were perhaps more familiar to the jurors on the superior bench of this county than any other of his time."

There is nothing particularly exciting about this story of a lawyer's life and death; nothing to make you think that this man had done anything that would cause any vast difference in the way the world moved along. But for my way of thinking it pictured a man whom lawyers may well emulate. He performed his duty from day to day; he never shirked his duty to take a case because of fear; he gave his clients faithful representation. I am sure that a full biographical sketch would have added—because it is so typical of his type—that he also played his part in the public affairs of his city and his state. Evidently he was a success financially. Why should he not be? Lawyers make their living in the practice. There can be nothing wrong in this so long as one cannot truthfully be called a "lawyer for revenue only."

There surely are many Wesley M. Joneses in these United States today. The people, our neighbors, would unquestionably raise their collective opinions of lawyers as a profession if more were heard of that type of man.

In closing, I should like to say that it has been a privilege to address you today. I hope that we can all look back at the end of 10 or 20 years and see some concrete evidence of improved relations between our profession and the public. Thank you.

President Callicutt then reported on the accomplishments of the past year and the functions of the various committees.

The next order of business was the election of officers. The following officers were duly elected:

Mr. James F. Noble, Jr. of Brookhaven, President.

Mr. Eaton A. Lang of Gulfport, Vice-President.

Executive Committee:

Central District:

Joe Wroten, Greenville
Calvin L. Wells, Jackson
George P. Hewes, III, Jackson

Northern District:

Jay Gore, Jr., Grenada
Frank Riley, Tupelo

J. E. Boone, New Albany

Southern District:

E. C. Ward, Natchez
Harold Robert Barber, Jr., Gulfport
James F. McKenzie, Hattiesburg

The Twenty-Third Annual Meeting of the Junior Bar Section was then adjourned sine die.

APPENDIX A

COMMITTEE REPORTS – SENIOR BAR

REPORT OF THE BUDGET AND FINANCE COMMITTEE

The Committee voted to recommend to the State Bar Commissioners that solicitation for contributions from the members of the Bar be made again for the year 1959-60.

The Committee approved the following budget for submission to the Commissioners of the State Bar for approval:

Office Expense	$2,000.00
Stenographer's Salary	2,700.00
Commissioner's Expense	1,500.00
Junior Bar Section	1,000.00
Committee Expense	1,500.00
Travel Allowance for Study Committee	700.00
National Conference on Uniform State Laws	200.00
Expense of Delegates to Judicial Conference	150.00
Secretary's Salary	4,200.00
Expense of Secretary to ABA, Mid-Winter & Regional Meetings	650.00
Miscellaneous, such as bank charges, exchange, withholding charges, etc.	250.00
Mississippi Law Journal	5,000.00
Dues to National Conference of Bar Presidents, National Conference of Bar Secretaries, and Special Liaison Tax Committee of the Southeastern Region of the ABA	75.00
President's Expense	250.00
Board of Bar Admissions	2,500.00
T O T A L S	$22,675.00

The proposed budget for 1959-60 is substantially in line with the budget for the preceding year with the following exceptions:

(1) Commissioners' expense and travel allowance for the Study Committee are increased by $850.00 after consideration of the actual expenditures of these two groups, and in particular, the Study Committee;

(2) The Mississippi Law Journal appropriation has been increased by $1,000.00 due to the fact that the decrease last year of $750.00 had to be restored to meet the actual expenses, and

(3) The Board of Bar Admissions appropriation has been increased by $1,000.00, based on actual expenditures.

The committee notes that the schedule of delinquent members as of May 15, 1959, according to the audit of accounts and financial records for the year just closing, indicates that a total of seventy-one attorneys are delinquent in the payment of dues in the amount of $1,595.00, and that a substantial number of these are delinquent for more than one year. The committee recommends that the Commissioners formulate a definite plan of dealing with these delinquents, and the taking of steps necessary for the collection thereof. The committee also recommends that the Business Manager of the Law Journal be notified of the names of the delinquent members and that the Commissioners authorize that no copies of the Journal shall be mailed to any delinquent member until all back and current dues are paid.

The committee notes that the statutory fee of $25.00 paid by applicants for the State Bar examinations only produced $1,175.00 during the year ending May 15, 1959, while the expenditures of the Board of Bar Admissions totaled $3,430.36, which was

necessarily paid by the Mississippi State Bar. The committee recommends that the Legislative Committee consider sponsoring legislation to have the statutory fee increased from $25.00 per applicant to $50.00 per applicant to help pay the aforementioned cost.

At the meeting of the Budget and Finance Committee on June 1, 1959, the foregoing recommendations are being made without benefit of the results of the solicitations of contributions for the coming year. The committee strongly recommends that steps be taken to solicit contributions, and in particular recommends that a letter from the President of the association accompanying the statement of dues be sent out to all members of the association. The committee has given consideration to the question of whether or not the committee should recommend that an increase in the $10.00 annual dues be sought, but the committee feels that final decision of such recommendation should be deferred until the results of the solicitation of contributions for the coming year is known. The budget proposed herein is based upon anticipated revenues of approximately $19,000.00 from dues and $5,000.00 from contributions.

REPORT OF THE CODE STUDY COMMITTEE

Your Study Committee has had three meetings in Jackson during the fiscal year of the Mississippi State Bar, and at each a substantial majority of the entire membership of the committee was present. A number of sub-committees have examined various proposals made to the committee by members of the Bar, and have worked on drafts of proposed bills and recommended legislation.

The committee recommends to the convention of the Mississippi State Bar the following bills for its approval and submission to the Legislature:

ITEM I. An act to amend Section 1876, Mississippi Code of 1942, so as to provide additional methods of serving notice in legal proceedings.

ITEM II. An act to amend Sections 1519 (as amended by Chapter 229, Laws of 1948) and 1848, Mississippi Code of 1942, to provide for the settlement of pleadings and entry of judgment in vacation and to provide for the contents and form of summons issued in actions in circuit courts.

ITEM III. An act to amend Sections 974, 3943, and 3946, Mississippi Code of 1942, so as to provide that the Court or the Chancellor or Judge thereof in vacation may fix and allow reasonable fees for commissioners, referees, auditors and arbitrators.

ITEM IV. An act to amend Section 417, Mississippi Code of 1942, empowering guardian to create, extend or renew encumbrances of an estate.

ITEM V. An act to vest the Chancery Court with jurisdiction to entertain suits for custody and support of minor children, in addition to present remedies.

ITEM VI. An act to amend Section 2735, Mississippi Code of 1942, to limit and clarify the causes for divorce and for annulment, and to establish statutory procedure for adjudication of nullity and annulment of marriages.

ITEM VII. An act to amend Section 875, Mississippi Code of 1942, as amended by Chapter 215, Laws of 1956, and by Chapter 271, Laws of 1958, so as to clarify and fix the time when remedies to enforce certain liens shall cease and have no effect.

ITEM VIII. An act to create a Judicial Council of Mississippi; to establish its powers and duties; to prescribe a method of selecting its membership; and for related purposes.

ITEM IX. An act to amend Section 963, Mississippi Code of 1942, to provide that ex parte petitions for partition may be heard in vacation.

ITEM X. An act to amend Section 1391, Mississippi Code of 1942, so as to provide that decrees against non-resident, absent, or unknown defendants, rendered upon proof of publication only, shall be final and conclusive from date of rendition, unless a rehearing shall be applied for within one year thereafter, or within ninety (90) days if the defendant is served with a copy of said decree within six (6) months of the date of the rendition of said decree and providing for method of serving said notice.

ITEM XI. An act to amend Section 2441, Mississippi Code of 1942, to provide for service of a copy of the indictment of the person indicted.

The following bills were approved by the Mississippi State Bar at its convention in May, 1958. The committee recommends that they again be approved and resubmitted to the next session of the Legislature.

ITEM XII. An act to provide for mental examination of person charged with crime if mental condition is questioned.

ITEM XIII. An act to amend Section 9901, Mississippi Code of 1942, to provide that Sheriff and Tax Collector may back assess property for only a period of seven years.

ITEM XIV. An act to provide the Chancery Court with jurisdiction of proceedings in certain cases, define powers of the Court and to fix venue.

ITEM XV. An act to prescribe a method of reviewing determinations of administrative agencies.

ITEM XVI. (This item was deleted at the convention upon motion.)

ITEM XVII. An act to establish procedure for pre-trial conference in certain courts.

The following items from the report of the Junior Bar Section were incorporated in this report.

ITEM I. An act to amend Section 8699, Mississippi Code of 1942, to provide that persons engaged in the practice of law in this state shall pay dues each year in the sum of twenty ($20.00) dollars.

ITEM II. An act to establish law clerks for the Supreme Court of the State of Mississippi.

REPORT OF THE COMPLAINTS COMMITTEE

On May 18, 1959, the Complaint Committee met in Jackson, and considered five complaints. While we have received countless letters alleging complaints, including over-charging, failure to answer correspondence, co-mingling of clients' funds, only six complaining parties undertook to file affidavits.

One of the complaints was considered by the Bar Commissioners, in November of 1958. Action on that complaint was indefinitely deferred. The remaining five were carefully considered by the committee. In four it was felt that the charging affidavit failed to set forth facts warranting further action. In one a client's charge that an attorney had failed to account for funds collected on behalf of the client was withdrawn when it appeared that the attorney paid the client and affidavit filed by the attorney showed that the failure to account was due to the fault of a collector used by the attorney.

The Complaint Committee is happy to report that no complaints referred to it have been of so serious nature as to warrant recommendation to the commission that disciplinary action be taken.

The committee would like to bring to the attention of the Bar one of its problems, the solution of which is quite simple and lies with the attorneys to whom correspondence is directed by the committee. No attorney likes to have a complaint made against him; upon receiving one, his first reaction is to become angry; he probably suspects foul play on the part of all his enemies; and may decide to ignore the matter. Our admonition for the benefit of future committees is, *Don't ignore correspondence from the Complaint Committee.* The reaction of the committee considering a complaint is to give to the attorney against whom complaint is made the benefit of every reasonable doubt; every effort is made to keep the matters confidential. The committee desires to protect the profession, the Bar and its members—So don't ignore it!

REPORT OF THE CONFERENCE OF LOCAL BAR ASSOCIATIONS

The Conference of Local Bar Associations, a section of the Mississippi State Bar, closed its third year at its annual meeting on June 11, 1959. The officers of the Conference during the past bar year were:

President—Dixon L. Pyles, Jackson.

Vice President—(Northern District) Mrs. Lenore L. Prather, West Point.

Vice President—(Central District) Sherwood W. Wise, Jackson.

Vice President—(Southern District) Kelly J. Hammond, Columbia.

Secretary Treasurer—Mrs. Alice Nevels, Jackson.

The officers elected to serve for the 1959-1960 bar year are:

President—Kelly J. Hammond, Columbia.

Vice President—(Northern District) Jay Gore, Jr., Grenada.

Vice President—(Central District)Sherwood W. Wise, Jackson.

Vice President—(Southern District) Jules A. Schwan, Biloxi.

Secretary-Treasurer—Mrs. Alice Nevels, Jackson.

On May 30, 1958, the Executive Committee met in Biloxi to make plans for a program for the year. Since surveys revealed that lawyers, as a whole, had not maintained the traditional community leadership, the committee recommended the adoption of a program to emphasize the "Role of the Lawyer in Society."

District Bar Conference

As is the established custom, nine District Bar Conferences were held throughout the State during the year, and were well attended by lawyers and their wives in each instance. The speakers at these Conferences were as follows:

Hon. Betty B. Tucker who emphasized the Client-Lawyer relationship;

Judge W. N. Ethridge, Jr., who emphasized the Courts and the Lawyers;

Hon. Sherwood W. Wise who emphasized Defense of Civil Matters;

Hon. Hugh Clayton who emphasized Community Leadership;

Hon. Breed Mounger who emphasized the Procedure of Civil Matters;

Dr. Robert J. Farley who emphasized the Development of Legal Principles in a Changing World;

Hon. C. Sidney Carlton who emphasized the Lawyer and the Bar Association; and,

Hon. William F. Winter who emphasized the Lawyer in Government.

The Vice Presidents were given the responsibility of making recommendations to the President for the appointment of the Chairman of the seven standing committees. The Chairmen who were selected and appointed were as follows:

J. Stanford Terry, Membership—Vicksburg.

Betty B. Tucker, Program—Jackson.

E. B. Williams, Sr., Legislation—Poplarville.
Walter E. Bullock, Professional Fees—Columbia.
Jay Gore, Jr., Professional Ethics—Grenada.
N. W. Overstreet, Jr., Public Relations—Jackson.
J. E. Smith, Professional Economics—Carthage.

The Board of Directors of the CLBA, at the April 28, 1959, meeting, directed the President to appoint a special committee to study the procedure of the Workmen's Compensation Commission and then to recommend to the Conference a comprehensive system of procedure. The President named John A. Craig Chairman of that Committee.

The Board of Directors in their meeting of August 26, 1958, called for the appointment of a committee of Judges to be appointed by the Chief Justice of the Mississippi Supreme Court to study and draft a retirement plan for Judges and submit the plan to the Board at its April meeting. The committee appointed by the Chief Justice was composed of the following:

Justice W. G. Roberds, Chairman
Justice W. N. Ethridge, Jr.
Judge Henry Lee Rodgers
Chancellor William Neville
Judge W. T. Horton

This committee formulated a plan for retirement of Judges and drafted a bill to be presented to the Legislature.

Based upon experience in the work of the Conference and a desire to increase the effectiveness of the Conference, the Board directed that each committee, in addition to the members selected as provided by the constitution, shall have three co-chairmen, one to be selected from each Supreme Court District, the co-chairmen to be appointed by the President, upon the recommendations of the respective chairmen.

On October 3, 1958, Mrs. Grant Williams, Executive Secretary of the Georgia Bar Association met with certain officers and Board members of the Conference for the purpose of discussing the organization, objectives and work of the Mississippi Conference.

During the past year four other states in the nation requested information concerning the Mississippi CLBA. Reports on the organization and work of the Conference were sent to the bar associations of Alabama, Iowa, Maryland and Louisiana. Arkansas has organized a Conference patterned on the Mississippi organization.

The special committee of the American Bar Association established to study the economic condition of the legal profession in the nation requested information from the Conference relative to the study made on the economic condition of the legal profession in Mississippi. Questionnaires were supplied as well as other information pertaining to the Mississippi survey. Much of the work being done by the American Bar in this field is patterned on the Mississippi survey.

During the 1958-59 bar year the Conference assisted in the initial organization and reactivation of eleven bar associations in the State. There are now 55 organized bar associations in Mississippi.

From the reports made by the local bar associations at the nine District Bar Conferences it was learned that the vast majority of the organized associations in Mississippi are now using the fee schedule suggested by the Mississippi State Bar as a basis for fee computation. Following the CLBA program theme of Law Office Management, presented in the 1957-58 meetings, the reports of the local bar officers indicate that a majority of lawyers in the organized associations have installed improved management systems and are using time records.

Few of the local bar associations in this state conducted programs celebrating Law Day—U.S.A. on May 1, 1959. It is suggested that the State Bar consider formulating plans for the observance of Law Day on May 1, 1960, and that through the Conference local associations be urged to conduct programs on the community level.

Constructive public relations programs at both the state and local levels continue to be the outstanding weakness of the profession in this state. Several local associations are achieving good results in this field, but the majority of local bars have no public relations program. The Conference recommends that the State Bar prepare and distribute to the public a booklet describing the function of the State Bar. In addition, the Conference is to prepare a handbook of public relations containing suggestions to local associations for instituting and continuing local progress. The Conference also has the task of establishing a speakers bureau. The State Bar is urged by the Conference to study the possibility of setting up legal forums in the various parts of the State. This means has been used effectively in some states as a method of acquainting the public with the need for the services of lawyers, and to give the public a better understanding of the processes of the law. A program designed to encourage the public to have an "Annual Legal Check-up" should be formulated by the State Bar along the lines of that pioneered by the Michigan State Bar. This program is similar to the annual medical check-up in its emphasis on the importance to one's legal affairs.

The Conference urges the formation of a Mississippi State Bar Ladies Auxiliary, and the formation of auxiliaries in local associations. Such an association would be beneficial to the profession.

At the April 28, 1959, Board of Directors meeting, Judge W. N. Ethridge, Jr., presented a plan for the establishment of a permanent Judicial Council. The Board approved the plan and Judge Ethridge delivered the principal address on this subject to the annual meeting of the Conferences. The Conference urges the enactment of legislation to create a permanent Judicial Council composed of Judges, lawyers and laymen as a means of improving the administration of justice in Mississippi.

At the June, 1957 convention, the Conference recommended the building of a Department of Justice Building to provide adequate facilities for the Supreme Court Clerk, the Supreme Court, the law library, the Attorney General's Department and the Mississippi State Bar and its sections. A special committee was appointed to study, implement and draft legislation to be presented to the legislature for the construction of such a building. The committee carried out the instructions of the Bar in this respect. However, the bill was not presented to the legislature. The Conference recommends that the State Bar again make an effort to have the bill introduced in the Mississippi Legislature and support the passage of the same.

It became increasingly apparent during the past year that more adequate facilities and additional funds are needed to provide the services traditionally rendered by the State Bar and its sections. The Conference recommends that the Mississippi State Bar support legislation to amend Section 8699 of the Mississippi Code of 1942 so as to raise the dues of its members to $20.00 per annum.

A special committee was appointed by the President of the Conference to make a study of the procedure of the Workmen's Compensation Commission, and to recommend a comprehensive System of Procedure. The committee reported that the need for such study was recognized but that the matters proposed for study are too voluminous and complex for the committee to make the study in the time allotted. Upon the recommendation of the committee, the conference recommends to the Mississippi State Bar that a special committee be appointed to make a full and exhaustive study of the procedure for handling compensation cases before the Mississippi Workmen's

Compensation Commission, the Circuit Courts and the Supreme Court, to make recommendations, as, in the opinion of the members of the committee, would serve to provide the means for a more expeditious and judicial manner of processing and disposing of workmen's compensation cases before the Mississippi Workmen's Compensation Commission, the Circuit Courts and the Supreme Court, and to make recommendations relative to statutory changes that would be needed, if any, which would be deemed necessary to accomplish the needed changes.

The Conference assisted in the compilation of the manuscript entitled "Fee Computation and Law Office Management." The Conference recommends the publication and distribution of this booklet to all lawyers in Mississippi.

The Board of Directors of the Conference directed that a recommendation be made to this convention that legislation be enacted by the Mississippi Legislature requiring the association of at least one Mississippi lawyer in all actions in this state wherein an out of state lawyer is counsel in order for such out of state counsel to appear before any Mississippi Court, or any quasi-judicial or administrative body of this state; and that federal courts and agencies in Mississippi be requested to adopt the same as a rule of practice and procedure. The CLBA recommends that the State Bar draft such a bill and secure the introduction of the same in the next session of the Mississippi Legislature.

REPORT ON THE AMERICAN BAR ASSOCIATION HOUSE OF DELEGATES MEETING

The February meeting of the House of Delegates in Chicago was 100 per cent attended by state delegates.

The most far reaching and certainly the most favorably received action of the House of Delegates in the last decade was the passage of resolutions urging legislation to tighten the nation's anti-subversive laws. There was one voice raised against these five resolutions because its language was critical of the U. S. Supreme Court, but all five resolutions were passed almost unanimously. Syndicated columnists from coast to coast, as well as nationally known cartoonists, praised the House's action for the strong position taken. Senator Eastland in his able address referred to this action and has introduced legislation to enact these resolutions into law in our national Congress.

Our candidate for ABA President, John C. Satterfield was defeated by a very close vote. Many of his friends from all sections are urging his nomination in February, 1960.

John Satterfield's report as Chairman of the Special Committee on Economics of Law Practice was well received and John was unanimously applauded for his fine report. The American Bar Association's summary of activities lists the accomplishment of this committee on page one of its annual report as being the most outstanding contribution to the grass-root lawyer ever accomplished by the American Bar Association. You have all seen one of the pamphlets published, "The 1958 Lawyer and his 1938 Dollar," and other pamphlets which are to be released on law office management and our economic condition. Old-timers advised that the loudest applause ever to greet an announcement occurred when the Board of Governors announced that it had dropped Chief Justice Earl Warren from the rolls of the ABA.

As you probably know, the annual meeting of the American Bar will be held in Miami, August the 23rd to the 28th. If you cannot attend this meeting, be sure to attend the regional meeting which will be held in Memphis at the Peabody, November the 11th to the 13th. Ed Kuhns and Charlie Morgan are co-chairmen and largely

through the efforts of your state Bar delegates, this program has been arranged on these dates so that those attending can attend the Ole Miss-Tennessee game Saturday, November 13. Buses will be provided to take the Bar to the stadium and all in attendance will sit as a group. An outstanding program has been arranged and we feel that everyone will enjoy and benefit from the fellowship of this regional meeting.

REPORT OF THE COMMITTEE ON JUDICIAL RETIREMENT

Your Committee on Judicial Retirement has carefully considered the recommendations of the State Conference of Judges on Judicial Retirement, which are attached as an Appendix to this report. Your committee has also conferred at length with Mr. W. R. Hough, Executive Secretary, Public Employees Retirement System of Mississippi, and with Mr. Walter R. Bivins, member of the Board of that System.

The present judicial retirement system in Mississippi is entirely inadequate. Your committee has seriously considered the advisability of a separate and independent judicial retirment system, but finds that it is preferable for all concerned to seek an amendment to the existing Public Employees' Retirement System.

We cannot expect our judiciary to continue to attract men of the highest ability unless some improvement is made in the retirement compensation received by a judge after he has devoted a substantial part of his career in service to the State. In order to correct the existing deficiencies without endangering the existing Public Employees' Retirement System, your Committee makes the following specific recommendations:

(1) That Chapter 547 of the Mississippi Laws of 1958, and any other statutes pertinent thereto, be amended so as to increase the assessable average compensation under the Public Employees' Retirement Act from the present figure of $7,800.00 to a sum not in excess of $15,000.00.

(2) That a supplementary appropriation bill be enacted to supplement the present retirement benefits which might be received by a judge retiring within the 60 month period required by Chapter 547 of the Mississippi Laws of 1958 so as to make the aggregate of such retirement benefits the same as the retirement benefits which would be received by such judge after 60 months of service under the proposed increased average compensation figure of not in excess of $15,000.00.

(3) That a bill be enacted amending the present Public Employees' Retirement Act so as to authorize State employees, including judges, who have been previously elected not to come under the system, those now elected to come under the retirement system, to subject themselves to regular employee contributions and to receive the benefits of the system, including prior service credits, subject to the following conditions and limitations:

(a) That a limited time, not to exceed six months, be allowed for such action.

(b) That four years service after the election to come under the retirement system be a condition precedent to the right to retirement benefits.

(c) That full contribution of all amounts that would have been paid to the system be required if credit is to be allowed for the time between the passage of the Public Employees' Retirement Act and the election to come under the retirement system.

(d) That if full contribution to the retirement system is not made under paragraph (c) above, such person shall be entitled to credit from the date of his election to come under the retirement system plus prior service credits which predate the passage of the Public Employees' Retirement Act.

(4) That the President of the Mississippi State Bar be requested to appoint a committee of lawyers and judges to present these recommendations to the Public Em-

ployee's Retirement Board and to cooperate with said Board in preparation of the necessary legislation to effect these recommendations and to cooperate with said Board in the presentation of same to the Legislature at the next legislative session.

Your committee recognizes that the proposals provide only a modest increase for our judiciary under the retirement system, but it feels that it is a step in the right direction which should be taken immediately with the full cooperation and backing of our State Bar.

Recommendations of State Conference of Judges on Judicial Retirement

Pursuant to the decision of the State Conference of Judges at its January, 1959, meeting, Chief Justice Harvey McGehee appointed this Committee of the State Conference of Judges for the purpose of studying and making recommendations to the Bar concerning needed improvements in Mississippi's judicial retirement system.

Members of the Committee have obtained copies of recent judicial retirement statutes from Washington, New Mexico, and other states. The American Judicature Society has been especially helpful in furnishing us with factual information concerning the ways other states are meeting this problem. The Institute of Judicial Administration has also made available to the Committee facts which it has compiled. Two members of the Committee have had two lengthy conferences with Mr. W. R. Hough, Executive Secretary, Public Employees' Retirement System of Mississippi, and Mr. Walter R. Bivins, Member of the Board of that System. After these preliminary studies, the Committee met on Thursday, February 19 and considered carefully the issues and its recommendations. Messrs. Hough and Bivins appeared at that meeting at the Committee's request, and answered the inquiries there made. Throughout our studies they have been most helpful and cooperative.

A separate and independent judicial retirement system, applicable to all judges in the state courts of record, would be the ideal system. However, after careful consideration we have concluded that, considering all the circumstances, it is preferable that the existing Public Employees' Retirement System be amended and improved so as to increase the retirement benefits for judges and other state officers in similar salary categories.

The present judicial retirement system in Mississippi consists of two parts: (1) The judges and other state employees are under the federal social security system, Miss. Laws 1952, Chapter 299, being Code Sec. 7446-01 to 7446-10; and (2) supplementing social security, the judges are members of the Public Employees' Retirement System, first created by Miss. Laws 1952, Chapter 299, being Miss. Code Sections 7446-11 to 1446-27, as amended by Miss. Laws 1958, Chapter 547.

Under the present system, a judge with 34 3/4 years of service would draw from state retirement an annuity of $3,257.81 per year, and he and his wife would draw from social security $2,286.00, or a total of $5,543.81 per year, or $461.98 per month. One signififcant aspect of the present state System is that substantially all this income would be exempt from state income taxes. Most of it, in the example stated above, would be exempt from federal income tax.

At present rates, a judge at age 65 and with 10 years service would receive $116.00 per month, and his dependent wife at age 65 would receive $58 per month, or a total of $174.00 per month from social security, plus $50.00 per month from the state retirement annuity supplement, or a total from all sources of $224.00 per month. This is approximately 20 per cent of present salary for a Supreme Court Judge, and approximately 25 per cent of present salary for circuit and chancery judges.

At present rates, with 20 years of service, a judge would receive social security as above, with $100.00 per month from the state retirement annuity supplement, or a total of $274.00 per month. This is approximately 25 per cent of the present salary of a Supreme Court judge, and slightly less than 30 per cent of the salary of a chancery or circuit judge.

These benefits are not adequate, but they are substantial. Improvement of the present system would increase these benefits, and also retain several important features. (1) As previously stated, substantially all of the income would be exempt from state income taxes and federal income taxes. (2) The present system allows to judges and others the benefit of prior service with the state. Practically all of the judges have a long record of many years of prior service as state employees, in such capacities as attorneys for boards of supervisors, or municipalities, county and district attorneys, state legislators, and circuit and chancery judges. The creation of a new and separate system could hardly, with effect, give them credit for this prior service.

(3) Moreover, the membership of the present Public Employees' Retirement System includes all of the state employees in all salary categories, being about 65,000 in number. Protection and improvement of the present system should and probably would have the support of all of the state's employees. On the other hand, the creation of a new and separate system for judges would not have such wide-spread support, would have to rely largely on the lawyers in the state, and perhaps would have considerable opposition as an attempt to damage and divide the present state system. (4) Another benefit under the present system consists of survivorship benefits under social security. For a judge with a wife and dependent children, these survivorship benefits are considerable. Some separate state systems contain pensions for widows but apparently none contain benefits for dependent children. A separate system without these existing benefits under social security would result in a less valuable retirement system.

After having analyzed carefully these and other considerations, this Committee has concluded that the best and most desirable method of improving judicial retirement in Mississippi is to improve the present system. The principal statutory change would be to amend Sec. 12 (e) of Chapter 547 Miss. Laws 1958 and related statutes, in order to increase the maximum assessable amount from the present $7,800 of the employee's salary to not exceeding $15,000. We understand that this amendment is actuarially sound, and is desirable anyway in order to equalize the salary percentage of retirement benefits received by many elected and appointive state officers with those of employees in lower salary categories. The effect of such an amendment would be that, for a judge at age 65 and with 10 years of service, social security benefits for him and wife would be $174.00, plus $128.75 for the state supplement, or a total of $302.75.

With twenty years of service, the state supplement would be $257.50 per month, which, added to the social security of $174.00, would be a total of $431.50 per month.

A judge at age 65 and with 30 years of prior service, would receive $386.25 from the state annuity supplement, which, added to the social security of $174.00 for him and wife, would make a total of $560.25 per month, which is still slightly under 50 percent of his present salary.

The figures under the proposed amendment demonstrate the importance of prior years of service. The more prior service, the more benefits received. It will be noted that the retirement benefits for a judge with 30 years of service, under the proposed amendment, would be slightly less than 50 per cent of his salary. Nevertheless, your committee thinks that these added benefits would represent substantial

increases over the present system, and would be preferable to undertaking a separate and independent retirement system. It is manifest that an amendment of the suggested type would increase substantially retirement benefits under the present system.

A second needed statutory change involves this consideration: There may be several judges in the state who would wish to retire within less than five years, and receive retirement benefits on the increasd basis. Yet under Section 12 (e) of the Act, as amended by Miss. Laws 1958, Chapter 547, they would be unable to do so, since they must have earned compensation in the present amounts of their salaries for 60 successive months of service. A separate bill could properly be drafted to support an independent, supplemental appropriation to cover cases of that type, which would enable such judges so retiring in less than five years to receive the proposed increased retirement benefits. There is a precedent for this in a similar, supplemental appropriation made several years ago in the teacher's retirement transfer to the present system.

A third problem arises with reference to those judges and other elected state officials who, in 1953, or subsequently elected not to come under the retirement system, for sufficient reasons of their own, such as that they did not then intend to remain in public service. No doubt many of these elected officials would now desire to elect to come under the state retirement system and pay out of their monthly salaries the employee's contribution. There is no way they can do that now. We recommend legislation which would enable elected state officials to elect at this time to come under the retirement system, if they so desire.

We, therefore, recommend as follows:

(1) The amendment of Chapter 547, Miss. Laws 1958, and any other statutes pertinent thereto, so as to increase the assessable average compensation under the Public Employees' Retirement Act from the present figure of $7,800.00, to the sum not in excess of $15,000.00.

(2) The enactment of a supplementary appropriation bill to supplement the present retirement benefits which might be received by a judge retiring within the 60-month period required by Chapter 547, Laws of 1958, so as to make the aggregate of such retirement benefits in such few cases the same as retirement benefits which might be received by such judges after 60 months of service under the proposed, increased average compensation figure of not in excess of $15,000.00.

(3) The enactment of a bill, amending the present Public Employees' Retirement Act which would authorize elected state officers, including judges, who have previously elected not to come under the system, to now elect to come under the retirement system, to subject themselves to regular employee contributions, and to receive the benefits of the system, including prior service credits.

(4) We further recommend that the State Conference of Local Bar Associations and the Mississippi State Bar approve these suggested improvements in judicial retirement. We think that the initiative and the principal impetus to accomplish this program should necessarily and properly be with the lawyers of the state rather than the judiciary.

(5) After this program has been approved by the State Conference of Local Bar Associations and the Mississippi State Bar, the president of the Mississippi State Bar should be requested to appoint a committee of lawyers and judges to present these recommendations to the Public Employees' Retirement Board and to the legislature, and to use all reasonable efforts to enable these proposals to be enacted into law at the next legislative session.

REPORT OF THE JUNIOR BAR SECTION

I. The Young Lawyers' Seminar

After three years of preliminary work, the Junior Bar Section of the Mississippi State Bar successfully held its First Annual Young Lawyers' Seminar at Millsaps College in Jackson on September 5th and 6th, 1958. The Young Lawyers' Seminar is a Seminar to "bridge the gap" between the theory learned in Law School and the actual handling of a law practice. The Seminar is designed to give the young lawyers some of the "know-how" which ordinarily could be learned only after several years of practice.

Lectures and printed outlines, with forms, on the mechanism of the courts, defense of criminal actions, wills and estates, domestic relations, negligence actions, account collection and workmen's compensation were given by various attorneys from all over the state. The Seminar does not attempt to teach the young lawyer any substantive law, but attempts to teach him some of the practical aspects of the actual practice of law. The First Annual Young Lawyers' Seminar was fortunate to have the following attorneys to participate in the program:

(1) Mechanism of the Courts—Curtis E. Coker, Jackson, Mississippi.
(2) Defense of Criminal Actions—John A. Travis, Jr., Jackson, Mississippi.
(3) Wills and Estates—Tom Leslie Darden, New Albany, Mississippi.
(4) Domestic Relations—Jay Gore, Grenada, Mississippi.
(5) Negligence Actions—Joshua M. Morse, III, Poplarville, Mississippi.
(6) Accounts Collection—Carl E. Guernsey, Jackson, Mississippi.
(7) Abstracts and Titles—Harold Robert Barber, Jr., Gulfport, Mississippi.
(8) Workmen's Compensation—Russell D. Moore, III, Jackson, Mississippi.

The Seminar Committee Chairman was Mr. James F. Noble, Jr., Brookhaven, Mississippi, who did a magnificent job on the First Annual Young Lawyers' Seminar.

A fee of $25.00 was charged to cover the expenses of the Seminar. Questionnaires were presented to the participants for their frank rating of instruction. The participants were requested not to sign the questionnaires but to give their frank opinions. These questionnaires have proved most helpful in directing the Second Annual Young Lawyers' Seminar which will be held in the early part of September of this year.

I hold in my hand a brochure of the First Annual Young Lawyers' Seminar which shows you some of the work and effort which was given to this program. I am filing this brochure with this report in order that the same may become a permanent part of the records of this association.

II. Code Study Committee

The Code Study Committee of the Junior Bar Section of the Mississippi State Bar has recommended two bills which the Junior Bar Section would like to have the privilege of attempting to get enacted into laws during the next session of the Legislature. The first of these bills is an act to establish law clerks for the Supreme Court of the State of Mississippi. This proposed bill would allow the Supreme Court to appoint three law clerks, who would assist the Court in research and other activities usually performed by law clerks. The Junior Bar Section feels that such clerks would relieve the case load that is slowly but surely building up in our Supreme Court. The Junior Bar also believes that such clerks will be most beneficial to judges relieving them of the burden of researching the law, which in turn, will give them more time for conferences and deliberations. The senior partners of the various law firms use associates to assist them in briefing; therefore, the Junior Bar Section feels that law clerks can very easily perform this service for our Supreme Court. A

great many of the States now have law clerks and utilize them to the greatest advantage.

Under the proposed bill of the Junior Bar Section the law clerks would receive a salary of $5,500.00 per year, payable in equal monthly installments. The law clerks would not be eligible for reappointment.

The proposed bill would also provide a great opportunity for three graduating law students each year. This would tend to benefit both the bench and the bar during the coming years.

The second proposed bill sponsored by the Junior Bar Section of the Mississippi State Bar is an act to raise the dues of each member of this association to $20.00 per year. The Mississippi State Bar is under-financed and something must be done if we are to continue to function as an efficient organization. The Mississippi Bar approved such a proposed bill at its last session, but the Legislature failed to enact the measure into law. The Junior Bar Section feels that it should be allowed to attempt to get this proposed bill enacted into law during the next session of the Legislature. The Junior Bar Section believes that if the Junior Bar members can recommend and pay $20.00 per year then the Senior Bar members should again go along with the proposal.

Under the present "set up" the financial condition of the Bar depends upon donations of the members of the Mississippi State Bar. Without the donations given by the various members last year the association could not have operated. This is a deplorable condition. The Junior Bar Section wants to try to remedy this condition by providing permanent financing for a strong Bar Association.

III. Membership Drive of the ABA

The Junior Bar Conference of the American Bar Association conducted a membership drive in which the Junior Bar Section of the Mississippi State Bar participated. A personal contact campaign was held in this State where a great majority of the non-members of the ABA were personally contacted. Mississippi ranked ninth, when compared with the other States, in reaching their goal in this campaign. The Junior Bar Section has a right to be justly proud of the record it made during this campaign.

IV. Injunction Against Nine Special Bar Applicants

Nine people were instrumental in getting special acts passed by the Legislature which permitted them to take the Mississippi State Bar examination without qualifying under the general statutes as to residence and qualifications. The Junior Bar Section had a member on the special committee appointed by the Board of Bar Commissioners to take legal proceedings against these people. The Committee consisted of M. M. Roberts, Thomas Y. Minniece, William C. Keady, Will S. Henley and K. Hayes Callicutt. The Junior Bar Section assisted the Committee by doing some of the leg work and especially Mr. M. M. Roberts, who did a yeoman's work for this Committee. The suits were brought to a successful conclusion by the parties being permanently enjoined from taking the bar examination under such special acts. This procedure should be followed in the future if any other cases arise.

V. Activities Committee

For the first time the Junior Bar Section appointed a Committee which had as its primary purpose the aim of acquainting the graduates of the University of Mississippi School of Law and the successful applicants of the Mississippi State Bar Examination with the activities of the Junior Bar Section of the Mississippi State Bar. The Junior Bar Section thinks that more people should be interested in the activities of

the Mississippi State Bar. The Junior Bar felt that one of the best ways to do this was to have a planned program to get the young lawyers interested in Bar activities. The Junior Bar feels that this Committee should be continued through the years to stimulate activities of the new members of the Bar Association.

VI. Thirteenth Annual Mississippi Law Institute

The Junior Bar Association of Jackson co-sponsored, with the University of Mississippi School of Law, the 13th Annual Mississippi Law Institute. A very interesting and educational program was presented by Mr. Melvin Belli and his associate, Alva Brumfield. Everyone who attended this program saw one of the better-known plaintiff's attorneys in action.

The banquet speaker was Mr. Erle Stanley Gardner, better known as Perry Mason.

VII. Unauthorized Practice of the Law

This Committee made a study of the representation being had before various State boards and commissions. The Committee feels that this study should be continued as there is some evidence that various litigants are being represented before such boards and commissions by people who are not attorneys. The Junior Bar Section feels that an educational program along this line will suffice to stop this unauthorized practice of the law.

VIII. Legislative Committee

As the Legislature did not convene in a regular session and was not called into a special session, the legislative Committee of the Junior Bar Section of the Mississippi State Bar did not have any report to make except to recommend that the Committee be continued in order to be available for action when the Legislature convenes in January of next year.

IX. Traffic Court Conference

The Standing Committee on Traffic Court programs of the American Bar Association has contacted the Junior Bar Section in reference to the desirability of holding a judicial conference for Mississippi judges and prosecutors who handle traffic court cases. The Junior Bar Section believes that better public relations are needed in the field of traffic cases. Most people who violate traffic regulations and are fined because of such violations feel that the city policeman, the highway patrolmen, or the county officials have something against them. When you bring this already irritated man to an average Justice of the Peace you do not make a very good impression on him as far as the law is concerned. The Junior Bar Section has agreed to attempt to co-sponsor this program with other organizations in the State. A Committee chairman has been appointed, who will be responsible for appointing his own committee.

In conclusion, I would like to recommend that we obtain more Junior Bar Associations on the local level and more coordination from the State headquarters with the local Junior Bar Association. I feel that a special committee should be appointed to study and make a full report to this organization at the next annual meeting.

REPORT OF THE LAWYERS' BUSINESS AFFAIRS COMMITTEE

Your President, in his appointment of the committee gave the following objectives and instructions:

> "If we can revitalize fee computation, coordinating the same with law office management work and succeed in placing the work on the desk of every lawyer in

Mississippi to the end that the same may be placed in practice many months before the convention, I will be happy if we should fail in all else . . . ."

"In my humble judgment, it is the most important committee of the Bar. As stated before, I hope that you will be able to place a law office management pamphlet in the hands of every attorney in Mississippi, and particularly in the rural areas."

I regret to report that these objectives have not been fully achieved. Lack of financing, due to the inadequate dues structure of the Mississippi State Bar, has prevented publication of the work of the committee, though the same has been ready for publication since December, 1958.

At the outset of this report I wish to pay tribute to the interest and unusually effective activity of the members of the committee. At each committee meeting a large majority of the members was present. It has been an inspiration to serve with such a fine, diligent, and able group.

After appointment of the committee, preliminary plans were developed by correspondence prior to the first formal meeting.

This first meeting was held on August 26 and the general outline of the committee work was developed and approval was given to approximately one-half of the overall project. Special assignments were made to individual committee members for the drafting of addtional sections of the committee manual.

These were completed and combined into a tentative manual before the next meeting of the committee which was held on October 3. At that time final approval was given to the corrected manual.

The entire work of the committee is represented by the completed manual entitled: "Fee Computation and Law Office Management." It is divided into three parts under the following heads:

Considerations Affecting Fee Computation;

Suggested Fee Schedules; and

Law Office Management.

The overall manual is based upon two prior publications by the Mississippi State Bar and its sections. The first is the publication distributed in 1956 and revised in 1957 and entitled "Suggested Basis of Fee Computations." The second is a mimeographed manual prepared by the Conference Bar Associations, a section of the Mississippi State Bar, entitled: "Law Office Organization and Management." The committee incorporated considerable new matter and the earlier publications were enlarged and revised.

The earlier suggested fee schedules have been brought up to date and are believed to be practical for application throughout the entire state. Several former groups have been combined, while others have been added. Schedules covering the following categories have been prepared and incorporated.

General Services;

Service Respecting Titles;

Estates;

Retainer Fees;

Domestic Problems;

Criminal Cases in State Courts;

Contingent Fees in Civil Cases;

Civil Cases in State Courts;

Cases in United States Courts;

Depositions;

Eminent Domain Courts;

Cases Before Administrative Bodies;
Labor Relations Cases;
Bankruptcy Matters; and
Tax Matters.

The section on law office management has been prepared on a practical approach and the forms and procedures recommended are all ones which have been actual and effective service in at least one Mississippi law office. The viewpoint is that of the small partnership or individual practitioner office and in this respect differs from almost all previous publications on the subject.

Consideration is given to the physical layout and appearance of the office and the floor plans of two successful offices are shown. One of these is the plan of a large metropolitan firm with offices in an existing building. The other is of a relatively small town practitioner and shows the manner in which an existing building was completely remodeled to meet the needs of the lawyer.

The section on the client relationship is particularly important because of the stress laid upon public relations and methods for improving the relationship between the public and the individual practitioner as well as between the public and the bar generally.

The third part of the Management section contains a practical, recommended system for filing, time records, financial records, and costs accounting. It is the belief of the committee that the adoption and use of the recommended procedures will result in a higher "take-home pay" to the individual lawyer through making more effective use of his time and through reducing his costs of operation.

The fourth part of the Management section is, we believe, one of the most outstanding features of the manual. It deals with the tax problems of the practicing lawyer and gives valuable information and advice to the lawyer regarding his tax problems. Your committee earnestly recommends that funds be made available for the publication of this manual for its distribution to every practicing lawyer within the state, believing that its study and use will result in the improvement of the economic condition of the Mississippi Bar, both individually and collectively.

Again allow me to pay tribute to the outstanding energy and effectiveness of the individual committee members in the discharge of the assigned duties of the committee. It has been both a privilege and a pleasure for the chairman to work with these dedicated members of the profession.

REPORT OF THE MEMORIAL COMMITTEE

The Chairman of the Committee presented the following resolution.

"In the measureless realm of Time, how brief is the span of Life."

Once more we pause in our busy rush of pressing problems to honor the memory of those of our profession who have died during the past year that has gone.

We, too, share in the sorrow of separation from loved ones and mingle our sympathetic tears with those who mourn their passing. We recognize the loss of great leadership and of fine craftmanship that has occurred in the going away of those who are with us no more.

Each of them contributed something good and something great to the total of achievements of our day and age. Their humble service and devotion to duty will be laid up in the archives of the temples of justice and written on the hearts of our fellow men until time shall be no more. Quite often in our feverish haste in this frantic existence, we fail to say to those who labor with us how much we love and honor their contributions to the service each is trying to render until we find that our

friend has quietly slipped away. Like all men, they were human and subject, therefore, to the fickleness and foibles of fortune, but each was an honorable member of a noble group who constantly press toward that high goal of duty well done in the cause of truth, justice and mercy.

May we constantly emulate and seek to improve the noble virtues of each of these, our Brethren, whose presence we sadly and lovingly miss.

Those who have entered upon the Great Adventure of a greater and wider knowledge and experience are:

James D. Arrington, Collins
Elijah C. Barlow
158 West Enterprise Street
Brookhaven
Robert Montgomery Bourdeaux
Meridian (former Circuit Judge)
James Benton Boyles, Batesville
Maxwell Bramlette, Woodville
Joseph E. Brown, Natchez
Arthur Bruce, Sr., Greenwood
H. Newell Bruner
457 East Ridgway Street
Jackson
Harry M. Bryan
1504 Devine
Jackson
Fred M. Bush, Sr., New Hebron
Millard Mundell Bush, Sr.
Laurel
Jack Deavours, Laurel
Lamar F. Easterling
803 Arlington
Jackson
Kenneth F. Edwards, Jr.
Box 216
Greenville
George H. Ethridge, Jackson
(Judge, Supreme Court)
H. P. Farrish
141 N. Hinds
Greenville
John F. Frierson, Columbus
H. T. Huber, Canton
Jay R. Jameson, Jr.
Abilene, Texas
Charles S. Mitchell
Pascagoula
Forest Marvin Morris, Sr.
Hattiesburg
William Malcolm Mounger
3833 Old Canton Road
Jackson
Oliver B. Ormond, Forest
Miss Anne Rylee (Willie Yeates)
4000 Cathedral Avenue, N. W.
Washington
Jack E. Stuart, Hattiesburg
J. Dudley Stennis, Jr.
Biloxi
William J. Vollor
927 Bowman Avenue
Vicksburg
William Calvin Wells
1333 North State Street
Jackson
T. J. White, Gulfport
Robert Dunbar Wigginton, Gulfport
Olen E. Wiley, Ruleville
Thomas Jefferson Wills
501 Bay Street
Hattiesburg
AND OTHERS.

NOW, THEREFORE, BE IT RESOLVED by the Mississippi State Bar in Memorial Session assembled before the Bar Association of Mississippi on this the 13th day of June, 1959, that we seek to rise to the challenge of all that was good and noble and true in the lives of each of these departed friends and brothers. That we now hereby record the great loss that we have sustained in common with our Nation, our States, and all our fellowmen in their passing. That we extend our sincere sympthy and abiding love for the comfort of their families and loved ones.

Be it further resolved that copies hereof be forwarded to the families of each of our departed friends and brothers, and a copy requested to be entered in the

Minutes of the Supreme Court of Mississippi and the permanent records of the Mississippi State Bar.

"Shall claim of death cause us to grieve,
And make our courage faint and fall?
Nay; let us Faith and Hope receive;
The rose still grows beyond the wall,
Scattering fragrance far and wide,
Just as it did in days of yore,
Just as it did on every side,
Just as it will forevermore."

REPORT OF THE EDITORIAL BOARD OF THE MISSISSIPPI LAW JOURNAL

General

The publication of the October, 1959 issue of the *Mississippi Law Journal* will mark the completion of the thirtietb volume. With the publication of the December, 1959, issue, the *Journal* will commence the thirty-first year of uninterrupted publication.

The *Journal* has a circulation of approximately 2500 copies per issue, and, at the present time, is published four times a year during the months of December, March, May and October. The October issue is devoted exclusively to the publication of the proceedings of the Mississippi State Bar Convention and the roster of members of the Mississippi State Bar Association.

Buildings and Facilities

Due to the construction of the recently completed Law School annex, it was necessary for the office of the *Mississippi Law Journal* to be moved to the basement of Lamar Hall. Future plans concerning the permanent location of the *Journal* offices are indefinite.

Issues Published Since Last Convention

Since the the 1958 convention, the *Journal* has published five issues. The first was the Special Issue containing the Revised Rules of the Supreme Court of Mississippi and Judge Roberds outstanding article on Oral Arguments and Written Briefs in the Supreme Court. This Special Issue has been favorably received, and it appears from the number of letters received from members of the Bar tbat tbe publication is of practical value.

A new editing policy was formulated and first used for the publication of the October 1958 issue containing the Proceedings of the State Bar. Due to the number of complaints received because of necessary deletions made in various speecbes and committee reports, the following policy was adopted. Tbe President of tbe Mississippi State Bar Association appointed a committee to edit the October issue of the *Journal.* This committee consisted of (1) the President of the Mississippi State Bar Association, (2) tbe Chairman of the Law Journal Committee, (3) tbe Faculty Advisor of the Law Journal and (4) the Editor of the Law Journal. This policy will continue in effect for the publication of the October 1959 issue.

The December, March and May issues were published on schedule and contained the customary student work and several leading articles.

Future Plans

The *Journal* is planning to publish a Special Issue in August 1959 on Pleading

and Practice in the Circuit Court of Mississippi. A topic outline was formulated by Judge William N. Ethridge, Judge Claude F. Clayton and the Honorable Lester G. Fant. Articles to be contained therein are to be contributed by our Circuit Judges and other outstanding writers. It is felt by the *Journal* that a valuable service could be rendered to the Bar by the publication of such an issue. This issue will be furnished at no additional expense to our present subscribers.

In addition to the aforementioned Special Issue and the regular four issues, the Cumulative Index for Volumes XXI-XXX will be published during the ensuing year. As announced in the 1958 Report to the Bar Convention, a conservative estimate of the length of the Index is a hundred pages and the estimated cost of printing will be approximately $1,500. This expenditure will be in addition to the cost of the regular four issues of Volume XXXI.

It is presently planned to furnish the cumulative index to our subscribers without any charge, this, of course, being subject to change as financial necessity dictates.

Change of Address

Every issue of the *Journal* results in several copies being returned due to erroneous addresses. The *Journal* is mailed by second-class mail, and consequently there is no provision for forwarding. If the issue is not claimed by the addressee, it is returned at *Journal* expense. It is respectfully urged that all members of the Bar promptly notify the *Journal* of any change of address. Our address is "Mississippi Law Journal, P. O. Box 146, University, Mississippi."

The Journal and the Mississippi Bar

The *Mississippi Law Journal* is the official publication of the Mississippi State Bar Association, and its primary purpose is to serve the Bar and its members. However, this relationship existing between the *Journal* and the Bar should not be characterized as a one-way affair, because of necessity it is a relationship out of which springs reciprocal duties and obligations. While it is true that the subsidy given the *Journal* by the Bar makes possible the *Journal's* physical existence, in order for the *Journal* to be classified as successful and to justify its existence, much more than mere pecuniary aid must be forthcoming. To adequately fulfill its purpose and obligations to the Bar, the *Journal* must receive support in the form of articles contributed for publication, suggestions and criticism from the Bar, suggestions as to topics that should be treated in leading articles, and an understanding on the part of the Bar of the problems encountered in the printing of a professional publication such as the *Journal*.

The financial ability to publish is of little signififcance where there is an absence of suitable material to print. We, therefore, would like to extend our sincere appreciation to our contributors and respectfully urge the members of the Bar to write and submit for consideration material for future publication in the *Journal*.

EXHIBIT "A" TO THE LAW JOURNAL REPORT

FINANCIAL REPORT OF THE MISSISSIPPI LAW JOURNAL
May 14, 1958—May 31, 1959

Receipts

Balance Remaining 1957-1958 Bar Appropriation	$00,000.00
Balance in Bank, May 14, 1958	2,799.51
Appropriation, Mississippi State Bar	4,750.00
Sale of Subscriptions	492.00
Sale of Back Issues	493.50

Sale of Advertising	1,085.00
Law School Student Assessments	546.00
Sale of Index	8.00
Miscellaneous Income	78.09
TOTAL RECEIPTS	$10,252.10

Disbursements

Printing:		
August, 1958 Issue	$ 704.00	
Volume XXIX, No. 4	1,643.65	
Volume XXX, No. 1	1,312.60	
Volume XXX, No. 2	1,445.80	
Volume XXX, No. 3	1,593.00	
Total Printing		$ 6,699.05
Postage and Box Rent		203.34
Stationery and Office Supplies		189.40
Telephone Expense		247.84
Addressograph Expense — Mailing List		167.61
Page in Yearbook		50.00
Bar Convention Expense		81.19
Law Journal Certificates		6.62
Miscelleaueous Expense		65.80
TOTAL DISBURSEMENTS		$ 7,710.85
Cash on Hand, June 1, 1959		2,541.25
		$10,252.10

EXHIBIT "B" TO THE LAW JOURNAL REPORT
PROPOSED BUDGET FOR THE MISSISSIPPI LAW JOURNAL

Receipts

Balance in bank, June 1, 1959	$ 2,541.25
Appropriations, Mississippi State Bar	5,000.00
Sale of Subscriptions	500.00
Sale of Back Issues	350.00
Sale of Advertising	1,000.00
Sale of Index	10.00
Law Student Assessments	550.00
Miscellaneous Income	75.00
TOTAL RECEIPTS	$10,026.25

Disbursements

Printing:		
August, 1959, Special Issue	$ 900.00	
Volume XXX, No. 4	1,600.00	
Volume XXXI, No. 1	1,550.00	
Volume XXXI, No. 2	1,550.00	
Volume XXXI, No. 3	1,550.00	
Total Printing		$ 7,150.00

Postage and Box Rent	200.00
Stationery and Office Supplies	150.00
Telephone Expense	200.00
Addressograph Expense — Mailing List	150.00
Page in Yearbook	50.00
Law Journal Certificates	10.00
Miscellaneous Expense	75.00
Printing of Cumulative Index, Volumes XXI-XXX	1,500.00
TOTAL DISBURSEMENTS	$ 9,485.00
Balance in Bank, May 31, 1960 (Estimated)	541.25
	$10,026.25

REPORT OF THE PROCEDURAL REFORM COMMITTEE

The Procedural Reform Committee held one meeting during the year.

It is unanimously recommended that Section 1483.5, Code of 1942, recompiled, which is commonly referred to as the Counterclaim Statute, be repealed.

Because there seems to be diversity of opinion among the several judges of the state as to the meaning of Section 1525, it should be clarified so as to allow the plaintiff and the defendant or defendants four challenges each and no more. It is the opinion of the committee that the statute already says this, but that it should be amended so as to make it clear and at the same time incapable of being misunderstood.

In some of the counties of the state, court still convenes twice and in some instances only once a year. Even in those areas where courts are busy and more frequently held a large portion of the time of the court is sometimes consumed in the settlement of pleadings. The statute requires an answer within thirty days after service of process on a defendant, nevertheless, in many counties outmoded forms of process are still used whereby defendants are commanded to appeal and plead on the first day on the next succeeding term of the court. In the interest of uniformity and a more rapid dispatch of business it is recommended that a uniform process issue in all cases returnable thirty days from the date of service on the defendant and containing an admonition to the effect that if a responsive pleading is not filed within that time judgment by default for the amount sued for will be taken against him. To this end, this committee recommends that judges be given the power to hear, determine, and settle pleadings, enter judgments by default, and award writs of inquiry to be subsequently submitted to juries, in vacation, in the county in which the action is pending, or by agreement of counsel in any other county in the district.

It was brought to the attention of the committee from many sources that needy persons having legitimate claims arising under the provisions of the Workmen's Compensation Statute are being subjected to unseemly delays in the administrative process of getting their cases heard and determined by the Workmens' Compensation Commission. It is recommended that an absolute time limit be written into the statute within which this commission must hear and finally determine a claim once it is filed.

REPORT OF THE RESOLUTIONS COMMITTEE

I

WHEREAS the Honorable Breed O. Mounger, retiring president of the Mississippi State Bar Association, has of his wealth of experience and ability, as both a lawyer and statesman, contributed very generously toward the raising of the standards of this Association, and enlightening the citizenry as to the proper role of the lawyer in our political, civic and economic growth and development, and

WHEREAS under his leadership and guidance, with help of his able committees and the Junior Bar Section, this Association has enjoyed remarkable progress, and

WHEREAS we liken him as a person of such physical and mental magnitude as to cast him in a position threefold,to-wit: That of an excellent head master of a school, that of a splendid public relations promoter, and that of a superior salesman,

NOW, THEREFORE, LET IT BE RESOLVED by the Mississippi State Bar Association at this its 1959 convention that we extend to the Honorable Breed O. Mounger our sincere appreciation and devotion for his unstinting and outstanding services to this Association during the past year.

II

WHEREAS, the Mississippi State Bar Association had the unusual privilege of hearing two of its distinguished statesmen speak yesterday, the Honorable James O. Eastland, Senior Senator of Mississippi, and the Honorable Jamie L. Whitten, United States Congressman from the Second Congressional District, and

WHEREAS, Senator Eastland and Congressman Whitten have impressed us with the problems that face our state, the South, and our country and have pointed the way that these problems may be solved, and

WHEREAS, the scholarly messages of these distinguished sons of Mississippi received the universal acclaim of all present and we are proud of the great work being done by them in Congress, and

WHEREAS we commend them for their accomplishments and services to the people of our great state and by these resolutions thank them and urge them to carry on the fight for the preservation of Constitutional government and our traditional Southern way of life,

NOW, THEREFORE, BE IT RESOLVED, by the Mississippi State Bar Association, in convention at Biloxi, Mississippi, this the 13th day of June, 1959, that a copy of the speeches of these distinguished gentlemen and a copy of these resolutions be delivered to the press and that we request that a copy thereof be placed in the Congressional Record and that a copy thereof be printed in the Mississippi Law Journal as a permanent record of the convention.

III

WHEREAS, Honorable Alfred S. Julien delivered a very able and instructive address to the Mississippi State Bar Association on the timely and important subject of products liability, based upon extensive research,

NOW, THEREFORE, BE IT RESOLVED by the Mississippi State Bar Association that we express our sincere appreciation and thanks to Mr. Julien for his most excellent address.

IV

WHEREAS, Governor Orval Faubus has demonstrated unusual courage and devo-

tion to duty, in his efforts to protect the rights of the people of Arkansas, and consequently the rights of all people of our nation, and

WHEREAS, we are now faced with a great crisis, and the liberties and rights of the States are in grave danger of being forever lost, and

WHEREAS, Governor Faubus has delivered a very able address to this convention.

NOW, THEREFORE, LET IT BE RESOLVED that we commend Governor Faubus on his courageous efforts to protect and preserve our constitutional form of government and our Southern way of life and express our appreciation for his inspirational, factual and eye-opening address.

V

WHEREAS, this Association, at its 1958 convention, did by resolution pay to Mrs. Alice Nevels, our courteous, capable, and beloved secretary, a very high and well-deserved compliment, and

WHEREAS she continues her services as our secretary, and continues to render us unexcelled and indispensable services, without which this Association would in no wise be able to show a record of such magnificent progress,

NOW, THEREFORE, LET IT BE RESOLVED that this Convention express again its sincere thanks and appreciation and acknowledges its indebtedness to Mrs. Nevels for her untiring, courteous, loyal and devoted services to this Association, and go on record as stating that we again heartily approve and endorse every word of the beautiful tribute that was paid to her in said resolution of 1958.

VI

WHEREAS, for the past several years the same person with smiling and friendly face has greeted us, with pen in hand, from the speaker's stand, and efficiently recorded for us the proceedings of our conventions, never departing from her post of duty, and never asking for a short recess, and

WHEREAS, this same person, at the conclusion of each day's program, has speedily disappeared from view, only to continue her labor in transcribing and typing her notes, often through the night and until the break of dawn, and has reappeared on time at her station to begin another day of work, and

WHEREAS, this same person whose hands move gracefully and speedily across the pages of her notebook has become a vibrant and integral part of our conventions, and we have come to know and love her and think of her as our very own, and

WHEREAS, this person, the lady with the majestic smile and the magnetic touch is none other than Mrs. Alice McIntosh, the official court reporter of the Tenth Circuit Court District of Mississippi, and

WHEREAS, Mrs. McIntosh's able assistant during the present convention is Mrs. Eschol Helveston, the official court reporter of the Second Chancery Court District of Mississippi,

NOW, THEREFORE, BE IT RESOLVED by this convention that we extend to Alice McIntosh our sincere and deep appreciation for her continuous, loyal and efficient services to us, and pray her pardon for having been remiss in saying "thank you" in this manner prior to the 1959 convention.

AND BE IT FURTHER RESOLVED that we express thanks and appreciation to Mrs. Helveston for her courteous and efficient services during this convention.

VII

WHEREAS, we would have convened in chaos but for the "on the job" services of the "Indispensable Four", the ladies at the registration table—the registration

clerks who gave us our programs, our tickets, "tagged" us, directed us, and in some instances told us our own names, and

WHEREAS, these ladies have rendered efficient and courteous services to us and have made a great contribution toward the success of the 1959 convention of the Mississippi State Bar,

NOW, THEREFORE, BE IT RESOLVED that we here and now recognize and express our deep appreciation to the "Indispensable Four", who are: Mrs. Lynel Echols, Mrs. L. C. Gooch, Miss Margaret Gooch (Mother and daughter) and Mrs. David L. Sadler.

VIII

WHEREAS, for many years Kenneth Toler has so ably, conscientiously and fairly reported the political, legislative, executive and judicial news of the State of Mississippi through the Commercial Appeal of Memphis, Tennessee, and

WHEREAS, through his reportings he has brought recognition, respect, honor and dignity to our state, and has proved himself one of Mississippi's top-flight citizens, and

WHEREAS, he has proved himself a sincere and understanding friend of and asset to the legal profession of our state,

NOW, THEREFORE, BE IT RESOLVED that the Mississippi State Bar, in convention assembled at Biloxi, Mississippi, on this the 13th day of June, 1959, hereby go on record as extending to Kenneth Toler our deep appreciation for his said services to our state and our legal profession, and that we extend to him the invitation to become an honorary member of our Association and bestow upon him such honorary membership.

IX

WHEREAS, the program committee of the Mississippi State Bar Association has provided a most excellent program, including able addresses by Senator Eastland, Congressman Whitten, Governor Faubus and Honorable Alfred S. Julien, and has arranged a unique and entertaining program at our banquet, including the address of the anonymous humorist, alias Judge S. J. Sparks.

NOW, THEREFORE, BE IT RESOLVED that we express our appreciation to each member of the program committee, to each person on the program and all persons responsible for our excellent program—at this convention.

X

WHEREAS, the local arrangements committee was composed of: Honorable David Cottrell, Jr., Honorable R. W. Thompson, Jr., Honorable Daniel D. Guice, Honorable Victor B. Pringle, Honorable Eaton A. Lang, Jr., and Honorable Lyle M. Page, and the local committee for ladies' entertainment was composed of Mrs. Arnaud O. Lopez, Mrs. Victor Pringle, Mrs. Howard A. McDonnell, Mrs. David Cottrell, Jr., Mrs. William Hewes, Mrs. Bidwell Adam, who have unreservedly and graciously provided for our entertainment at this convention, and have shown themselves a genial host and made each of us feel as a welcome and honored guest,

NOW, THEREFORE, BE IT RESOLVED that we extend to each member of these committees our sincere thanks and appreciation for the well-planned program of entertainment for us and our assurance that we have greatly enjoyed every phase of it.

XI

WHEREAS, the convention of the Mississippi State Bar has so often been held at Jimmie Love's Buena Vista Hotel on the glamorous, glittering and gilded Gulf Coast, and

WHEREAS, we have occasionally erred and strayed elsewhere to hold a convention, only to return "home" the following year, due to nostalgia for the enchanting and bewitching aura and vista of the locale, and especially for the hearty and "welcome home" greetings of Jimmie Love and the entire personnel of his hotel, including the long line of syncopating waiters who bring the trays of food in symmetrical balance to our banquet tables, and

WHEREAS, it may be possible that we shall err and stray again for our convention of 1960.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That we express to Jimmie Love and all who comprise his fine institution our appreciation for "a good time had by all" at this our 1959 convention.

2. That if we err and stray for our convention of 1960, he welcome us "home" for the convention of 1961.

REPORT OF THE SUPREME COURT BUILDING COMMITTEE

In 1956 the Conference of Local Bar Associations initiated this idea of a new building to house our Supreme Court, the attorney general's office, the supreme court clerk, and our own Mississippi State Bar offices. So in 1957 the Conference presented to this body, the Mississippi State Bar, at the convention in Jackson, the idea which was unanimously approved. On the approval of that resolution, President Henley appointed a rather large committee of which I was chairman. The committee was divided into three sub-committees, one headed by Mr. Dixon Pyles to bring to us the real need for such a building, and we have found that the office now used as a private office by the attorney general was originally planned for the lieutenant governor. His assistants are officed in committee rooms which were intended for the use of the Mississippi Senate. The Supreme Court has been enlarged twice from three members to six members to nine members, and they can't have their conferences at all on one floor. They have to go up and down the steps. So the situation is bad as far as the Supreme Court members are concerned.

They are not complaining. This idea did not come from them, but we have found a real need from their standpoint. Our Supreme Court records are housed in a basement. They are going to be lost to us—some of them very valuable—because the business of the Supreme Court clerk's office and the Supreme Court itself has expanded to the extent that something will have to be done about it.

It is a shame the tremendous work that is being done by Mrs. Nevels' office. They have just got a little cubby-hole in which to work. So I can expand on that, about the need of it, Mr. Sidney Carlton was appointed chairman of a sub-committee to confer with an architect as to the kind of building we would have. We have come up with a building which will have six floors. The Supreme Court will be on one floor, the clerk's office on the other, the library on the other—I didn't mention that—our own office on the top floor, I believe it is, and then the other floor will be for the attorney general. Mr. Carlton labored very long on this and did an excellent job on the kind of building needed.

Now the only thing left was a sub-committee to draft a bill. The Attorney General is chairman of that committee. We had conferences on whether that bill should be introduced at the last session of the Legislature. Things came up that we didn't think it would be the expedient time to do it, but we believe that the coming session should deal with this problem before it is too late or before additional time is taken.

Now what can you do? You have already passed on it. You approved it in 1957, and now it is up to all of us to get behind it if we are sold on this proposition,

on this project. So I hope that during this summer campaign that you will talk to the legislators and the ones that are elected so that they will be thoroughly familiar with the idea when they come to Jackson and when the bill is introduced they will work for it and get it passed.

REPORT OF THE COMMITTEE ON TAXATION

Your committee on taxation now consists of three sub-committees as follows: Subcommittee "A", Special Liaison Tax Committee; Subcommittee "B", National Conference of Lawyers and Certified Public Accountants; Subcommittee "C", Special Programs.

Subcommittee "A" had been recognized by the Board of Commissioners in 1956. Provision had been made for this committee to be represented at the annual conference at Atlanta, Georgia. The Board of Commissioners approved a membership fee which was required and also provided for travel expense of a delegate to attend the annual convention at Atlanta, Georgia, as a representative from the Mississippi State Bar Association. The charter of the above committee was accepted by the Board of Commissioners; however, only two members of the subcommittee had been appointed and each had been appointed to serve a one year term. In order to comply with provisions set out in the charter and by-laws of the Special Liaison Tax Committee, three members were appointed to serve during the past year and they, also in accordance with procedures, were appointed for periods of three, two and one year terms, respectively. Tom Leslie Darden, New Albany, Mississippi, has served as chairman of this subcommittee. Submitted with this report is a copy of the minutes of the annual meeting held at Atlanta, Georgia, during the past year. Recommendations have been made by the members of the Bar through this committee and your chairman of the overall Committee on Taxation has conferred with representatives of Internal Revenue Service at the state, district and regional level for the purpose of effecting better procedures and improving public relation between representatives of Internal Revenue Service and members of the Mississippi Bar Association. It is recommended that the expense allowance for travel to Atlanta be increased to provide for two delegates to attend the annual convention.

Subcommittee "B", National Conference of Lawyers and Certified Public Accountants, was newly organized during the past year as a result of a resolution adopted by the Mississippi Bar Association at its 1958 convention. This committee consists of six members who serve three, two and one year terms, respectively. The purpose of this subcommittee is to arrive at policy and to delineate lines of practice between members of the legal profession and members of the accounting profession similar to those already adopted by the National Conference of Lawyers and Certified Public Accountants and the American Bar Association modified to meet the policies of the Mississippi Bar Association acting through this subcommittee. John T. Green, Natchez, Mississippi, chairman of this sub-committee, has done considerable research especially in connection with cases tried in the State of Kentucky wherein it was alleged accountants had encroached into the practice of law and had been the object of litigation. In Mr. Green's research he has indicated a number of instances wherein the legal profession has found it necessary to find its remedy in the courts of law as to violations and encroachment of practice by accountants and others especially in the field of taxation. Mr. Green has deferred holding a joint meeting with the members of this committee and with a six man group which has been organized to represent the Mississippi Society of Certified Public Accountants until such time as a meeting of his full subcommittee can be held and final policy matters determined as to the posi-

tion this subcommittee will take as representatives of the Mississippi Bar Association. It is recommended that the Board of Commissioners give consideration to providing a fund for travel for a delegate to attend such meeting or meetings as may appear helpful in carrying out the duties of this subcommittee.

Subcommittee "C" is a newly organized subcommittee on Special Programs. Lee R. Spence, Jackson, Mississippi, has served as subcommittee chairman during the past year. This subcommittee was newly organized in recognition of its usefulness in giving technical information to members of the Mississippi Bar Association in its various professional gatherings. Speakers have been available for county, district and statewide meetings. This subcommittee consists of thirteen members who represent specialization within the specialized field of taxation and they have been available upon call for giving talks on technical subjects to groups as suggested above. In addition, representatives of the committee have also appeared before other business and professional groups and have given programs on technical tax matters which have, no doubt, resulted in creating good public relations and adding dignity and prestige to the field of tax practice through the efforts of the Mississippi State Bar. It is recommended that this subcommittee be continued and that its status in the committee on taxation be made known to those responsible for planning various programs, seminars, tax institutes, etc., as soon as possible after the conclusion of this convention in order that plans may be made to have representatives of the Special Program Subcommittee available and to be able to appear when requested.

COMMITTEE REPORTS – JUNIOR BAR SECTION

REPORT OF THE ACTIVITIES COMMITTEE

Over the past several years it has become increasingly evident that the newly admitted lawyers know little, if anything, of the function, purpose, or workings of the Junior Bar Section of the Mississippi State Bar Association. On several occasions it was apparent that the new attorney felt that the Junior Bar was a name only or if more, then a private organization, with membership by invitation and controlled by a select few; or perhaps an organization comprised of organized junior bars from the larger cities of the State.

Your Executive Committee and President were convinced that a more active participation could be effected by informing the newly admitted attorneys of the aims, functions and ambitions of the Junior Bar Section, and that a stronger, more ambitious and active membership would result in an immediate strengthening of the Junior Bar and ultimately a strengthening of the entire Bar, and, therefore, created a new committee to be known as the Activities Committee.

The Activities Committee faced with the immediate task of attempting to contact all new attorneys before the forthcoming convention wrote a congratulatory informative letter to 49 newly admitted attorneys in 4 groups; the July 1958 Successful Applicants of the Bar Examination; the August 1958 University Graduates; the January 1959 University Graduates; and the Successful Applicants of the February 1959 Bar Examination.

Because of the time element, only the Spring 1959 University Seniors could be personally contacted as a group; this was done by a member of this committee when they were admitted to the bar by Chancellor William Anderson on May 27th at Oxford. Although previously contacted by letter, your committee felt that, if possible, each new attorney should be personally contacted and accordingly made arrangements for

such contact to be made by local attorneys in their respective home towns. Many of you here today assisted this committee in this undertaking.

Your committee reports that 49 separate letters were written and of the 64 newly admitted attorneys since this time last year, we have 44 confirmed follow-up personal contacts.

Your committee would make the following recommendations and suggestions:

1. That the Activities Committee be made a standing committee.
2. That at least one member of the committee be appointed from Oxford and one member from Jackson.
3. That a brief welcoming be made by a member of the committee at each graduation from Ole Miss and at each Bar Examination in Jackson.
4. That a follow-up personal contact be made each Spring along similar lines employed by your present committee.
5. That future budgets of the Junior Bar be adjusted to provide at least a part of the expense involved.

REPORT OF ACTIVITIES OF THE JUNIOR BAR CONFERENCE OF AMERICAN BAR

Honorable K. Hayes Callicutt represented the Junior Bar Section of the Mississippi State Bar at the annual meeting of the Junior Bar Conference of the ABA.

During the past year the Junior Bar Conference sponsored a membership drive which proved to be a great success. When all the new memberships were totalled the State of Mississippi ranked ninth in attaining their membership goal as compared with the other states. The Junior Bar Section may be justly proud of this record.

Under the leadership of Honorable Kirk McAlpin, the Junior Bar Conference has become interested in a program of continuing legal education. The Junior Bar Section of the State of Mississippi was asked to appear on the program to explain the functions of our "Young Lawyer's Seminar." The presentation was favorably received and it seems that the other Junior Bar Associations are actually looking to Mississippi and Florida for ideas in this area. A committee was appointed during the meeting in Los Angeles to be known as the Practical Legal Education Committee.

The Junior Bar Conference is also helping the ABA sponsor Law Day—USA, in answer to the Communist May Day.

Another program sponsored by the Junior Bar Conference concerns the traffic courts. One program is entitled, "Visit the traffic courts as a visitor and not as a violator." In Mississippi we have appointed a committee to actually put on a traffic court seminar.

The Junior Bar is also working for the passage of a bill which will give professional people retirement benefits. The bill would allow people engaged in a profession to set aside a certain amount of money for retirement.

Another bill the Junior Bar is sponsoring is a bill to provide adequate compensation for lawyers who defend indigent persons in federal court. This bill would provide that an adequate fee be paid by the federal government.

The Junior Bar section of the Mississippi State Bar has increased its activities with the Junior Bar Conference of the ABA. We have received much favorable publicity from our endeavors. It is felt that we should continue to work closely with the Junior Bar Conference and do our best to participate in their programs.

REPORT OF THE LEGAL AID COMMITTEE

The Legal Aid Society in Hinds County has been progressing every year, as is shown by the number of cases that have been handled throughout the period of the Society's existance. From 1952 through 1954 a total of 240 cases were handled by the Legal Aid Society. In 1956 a total of 174 cases were handled by the Society, in 1957 there was an increase to 264 cases, and in 1958 there was an increase to 291 cases.

Commencing with the year 1959, we will function under a new system whereby all cases will be handled to a conclusion. Therefore, a legal aid attorney will be in the office much more frequently than has been the case in the past. At present we are handling all the cases to completion, filing the necessary pleadings and trying the cases.

The necessary funds to maintain a full time office are not available, but if the work load increases as is anticipated a full time legal aid attorney will be necessary in Hinds County.

It is the recommendation of the committee that the Bar Association in conjunction with the Junior Bar Section initiate a program to establish legal aid organizations in the various counties throughout the state, in order that this service will be available to many more indigent persons who would otherwise be unable to have their rights enforced in court.

REPORT ON THIRTEENTH ANNUAL MISSISSIPPI LAW INSTITUTE

The thirteenth annual Mississippi Law Institute was held on December 5th and 6th, 1958, at the King Edward Hotel in Jackson, Mississippi. As in the past, the Institute was co-sponsored by the Jackson Junior Bar and the University of Mississippi School of Law. Serving as Chairman for the Institute was Honorable Russell D. Moore, III, of Jackson.

The Institute was highly successful in that approximately 250 members of the Bar were in attendance. Also attending were approximately 50 students from the University of Mississippi School of Law.

The program for the Institute was presented by the Honorable Melvin M. Belli and his associates. Mr. Belli is one of the nation's most outstanding trial lawyers, lecturers and legal writers. Mr. Belli's program included such topics as Trial and Tort Trends, Trial Procedure and Tactics, Medico Legal Problems and Effective Defense Procedures.

The Institute was extremely fortunate in obtaining Honorable Erle Stanley Gardner as the banquet speaker. Mr. Gardner gave a most enlightening talk pertaining to the legal profession, entitled "What is Ahead in the Law." The popularity of Mr. Gardner, better known as Perry Mason, was attested to by the fact that the attendance at the banquet was the largest in the history of the Institute.

Although the Institute was well attended, a loss of $142.43 was incurred due to the high program cost and the necessary incidental expenses. Since the Institute has, through tradition, become the mid-winter meeting of our State Bar, we encourage each member to attend the Institute and encourage attendance by other members. The committees of the Institute through the years have always attempted to bring to the Bar an educational as well as interesting program. The only way, however, the Institute can continue on a sound financial basis is by having the wholehearted support of the members of the Bar.

Plans are already in progress for the 1959 Institute. These plans are still tentative but envision a bold and ambitious program that will be quite different from any

of the programs in the past. The Institute hopes to work out an arrangement, whereby the program will be presented by the Law-Science Academy.

FINANCIAL REPORT 1958 MISSISSIPPI LAW INSTITUTE

Deposits:	
Previous fund withdrawal	$ 300.00
Ticket sales	3,737.00
TOTAL	$4,037.00
Expenditures:	
Johnny's Restaurant	$ 27.93
King Edward Hotel	70.48
U. S. Post Office	150.40
Norman Nasif	319.29
John Countiss	174.00
Howell Printing	56.98
Office Supply	43.88
King Edward Hotel	1,399.06
Belli	1,500.00
Standard Mat	47.67
Johnny's Restaurant	19.35
Whitley Flowers	46.58
Jasper Ewing & Sons	23.81
TOTAL	$3,879.43
Recapitulation:	
Deposits	$4,037.00
Expenditures	3,879.43
BALANCE	$ 157.57

REPORT OF THE YOUNG LAWYERS' SEMINAR COMMITTEE

This committee, with the able assistance of Mr. K. Hayes Callicutt, Junior Bar President, conducted the First Annual Young Lawyers' Seminar on September 5-6, 1958, in the Student Union Building at Millsaps College, Jackson, Miss. Lectures with printed subject outlines and forms, were given by capable members of the Bar on eight subjects of the law, namely, "Mechanics of the Courts" by Mr. Curtis E. Coker, "Defense of Criminal Actions" by Mr. John A. Travis, Jr., "Wills and Estates" by Mr. Tom Leslie Darden, "Workmen's Compensation" by Mr. Russell D. Moore, III, "Negligence Actions" by Mr. Joshua M. Morse, III, "Accounts Collection" by Mr. Carl E. Guernsey, "Abstracts and Titles" by Mr. Harold Robert Barber, Jr., and "Domestic Relations" by Mr. Jay Gore.

Advance publicity was given to the Seminar in the form of letters, spoken announcements and newspaper articles. Brochures of excellent quality and attractiveness were sent to prospective enrolees. A sample brochure is appended to this report.

The Millsaps Student Union Building, being modern, spacious, well-appointed, air conditioned and convenient, was an excellent place to hold the Seminar. The Committee received very generous help and cooperation from the College.

The lectures, with outlines and forms, were well presented and received. Afterwards, questionnaires were sent to all the young lawyers who attended to determine

their opinions of the Seminar. We will find their remarks, criticisms and suggestions helpful in planning and conducting subsequent seminars. The consensus is that the Seminar is very worthwhile and should be continued, improved and expanded.

The Seminar was limited to Spring law graduates and Summer successful bar examinees. Eleven such new lawyers attended the Seminar. The registration fee was $25.00 each. Our receipts totaled $275.00 and our expenditures totaled $425.00, for a net loss of $150.00. Money from the Junior Bar allotment from the Senior Bar was used for the Seminar.

Plans for an improved and expanded Second Annual Young Lawyers' Seminar at Millsaps College are now being laid. It will probably be held during the second half of August. We hope and modestly expect it to be a success and some improvement over the First Annual Seminar.

This committee is indebted to the attorneys who sacrificed their very valuable time to prepare outlines and forms and to present lectures. Also, we want to express our sincere appreciation to the State Bar Secretary, Mrs. Alice Nevels, and her competent staff for invaluable and most timely assistance. Our thanks, too, go to the administration, and particularly to Mr. J. W. Wood, Business Manager, of Millsaps College.

APPENDIX B

DIRECTORY

MISSISSIPPI STATE BAR

AUGUST, 1959

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Box 157
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Box 424
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William Dewitt Coleman
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John B. Farese
Box 135
L. Hamer McKenzie

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Judge Allen Cox
W. H. Cox
Box 353
M. Paul Haynes

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Charles Clifton Finch
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Robert H. McFarland
O. M. Oates
Box 25
Marvin O. Oates
Box 25
Roy L. Osborne
Route 1
J. L. Thompson
J. E. Ulmer, Jr.
Box 1

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Dixon Dossett

BELMONT

L. P. Allen, Jr.

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Lucian R. Wadlington
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W. D. Womack, Sr.

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406 Benachi
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Circuit Court
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Jacob D. Guice
First Bk. of Biloxi Bldg.
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215 Barq Bldg.
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202 Barq Bldg.
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Hotel Buena Vista
Frederick J. Manning
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Howard McDonald
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217 Porter Ave.
Walter L. Nixon, Jr.
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Victor B. Pringle
Pringle Bldg.
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James A. Cunningham, Sr.
J. E. Cunningham
Ellis W. Finch
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Donald Franks
James N. Godwin
Box 148
Judge Raymond T. Jarvis
Circuit Court
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James Anthony Morrow, Jr.
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Tullius Brady
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Edgar Lee Walker

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Wells Bldg.
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Hermon Dean
Henry Nolen Fancher
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Joe R. Fancher, Jr.
Box 281
J. M. Greaves
Box 128
Clinton G. Herring
Box 344
George B. Herring
First Natl. Bank Bldg.
Box 344
Josephine Hood
D. C. McCool
Box 172
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Levy Bldg.
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Coahoma Co. Bk. Bldg.
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202 Coahoma Co. Bk. Bldg.
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Stovall Lowrey
Coahoma Co. Bank Bldg.
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Ancil L. Cox, Jr.
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Joseph C. Feduccia
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Judge Ed H. Green
Circuit Court
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Owen Bldg.
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Joseph N. Howorth
515 S. Victoria Ave.
Lucy S. Howorth
515 S. Victoria Ave.
Robert Milton Hytken
Box 367
Judge Robert E. Jackson
Chancellor
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W. D. Jones
108 N. Pearman
Alfred A. Levingston
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Abe D. Somerville
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John White Valentine
127 S. Court St.
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R. H. Dale
Box 623
Judge Sebe Dale
Circuit Court
Maurice Dantin
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Toxey Hall
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Kelly J. Hammond
Box 569

Michael H. Lawless
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Henry Mounger
Suite 216, Newsom Bldg.
Henry E. Pope
Box 569
Ben Mounger Rawls
Citizens Bank Bldg.
H. C. Rawls
Citizens Bank Bldg.
H. Phillip Singley
309 Newsom Bldg.

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2nd Ave., N.
H. T. Carter
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Hunter M. Gholson
Burgin & Gholson
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514 - 2nd Ave., N.
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John Paul Moore
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Box 1001
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Joe O. Sams, Jr.
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Geo. W. Schweizer, Jr.
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1124 N. 11th St.
W. L. Sims
1124 N. 11th St.
Douglas Clyde Stone
Commercial Dispatch
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R. C. Stovall
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Robin Weaver
Box 1003
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Box 101

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509 Waldron St.
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H. M. Ray
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Nat'l Bk. of Commerce Bg.
Orma R. Smith, Jr.
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Benton R. Gordon
Marcus D. Gordon
Wm. H. Johnson, Jr.
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DEKALB

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J. T. McCully
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Helen J. McDade
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EGYPT

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W. D. Carmichael
Glender Dennis
Cecil G. Johnson
Box 403
L. K. Saul
Courthouse

ETHEL

Marvin Burchfield
Route 1
William Lloyd Rone
Box 100

EUPORA

J. E. Eudy
Box 267
Allen Gardner
W. D. Gary
Box 132
Walter B. Meek
Judge R. P. Sugg
Chancellor

FAYETTE

Harry L. Corban
R. L. Corban, Jr.
Carroll J. McLaurin
James M. Walker
Box 36

FOREST

T. Marx Huff
Drawer 179
William A. Huff
Drawer 179

Osborn Guyton Idom
Box 93
James Walter Lee
Box 115
Roy Noble Lee
Masonic Bldg.
Howard B. McCrory, Jr.
Box 46
F. F. Mize
Palace Theatre Bldg.
R. L. Nichols
Drawer 179
Roby L. Stegall
209 E. 1st St.
Wm. Carl Thompson
Box 203
O. B. Triplett, Jr.
Box 247

FOXWORTH

Mrs. U. P. Fornea
Box 314

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J. H. Brown
William Herman Camp
A. T. Cleveland
W. L. Elledge
Percy A. Martin Jr.
Box 91
Malcolm T. Yawn

GATTMAN

Ralph Pogue

GLOSTER

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Box 218
Walker Jean Carney, Jr.
J. T. Lowrey
Amite Co. Bank Bldg.
Joe Upton

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411 Weinberg Bldg.
Joseph Watson Biggers
745 Hwy. 82 So.
Edward J. Bogen
Weinberg Bldg.
Roy D. Campbell
Dr. 366
Geo. L. Cottingham, Jr.
Greenville Buick-Pontiac Co.
Box 655
Ralph D. Davison
Box 459
Fountain D. Dawson
Leyser Bldg.
Box 2951
Anse Dees
Box 168
Fred C. DeLong, Jr.
Box 663
Albert Dickens, Jr.
Box 127
Howard Dyer, Jr.
326 Weinberg Bldg.
Holland O. Felts
Box 298
Jerome S. Hafter
429 Weinberg Bldg.
Emmett Harty
205-08 Weinberg Bldg.
William C. Keady
Box 663
Ernest Kellner
May Bldg.
Ernest Kellner, Jr.
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Raymond V. Kimble, Jr.
205-08 Weinberg Bldg.
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429-32 Weinberg Bldg.
Robert Hart Lake, Jr.
124 S. Poplar St.
Robert T. Love
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W. M. McGough
411 Weinberg Bldg.
W. L. McIlwain
Box 558
Philip Mansour
Woolworth Bldg.
Box 591
Horace L. Merideth, Jr.
Box 625
H. A. Miller
Box 8
Julian David Orlansky
403-04 Weinberg Bldg.
S. Ira Pittman, Jr.
405-10 Weinberg Bldg.
Judge Zelma W. Price
Box 78
Tony P. Provenza
Box 607
Eugene J. Raphael
Woolworth Bldg.
Box 314
James Robertshaw
Weinberg Bldg.
Box 24
Geo. Ramsey Russell
Weinberg Bldg.
Laurance J. Sievers
418 Weinberg Bldg.
Earl Solomon
Weinberg Bldg.
E. B. Taylor
Leyser Bldg.
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Judge S. B. Thomas
Chancellor
W. S. Thompson
216 Woolworth Bldg.
Chas. S. Tindall, Jr.
429 Weinberg Bldg.
Charles W. Wade
Leyser Bldg.
Box 2923
John C. Webb
216 Weinberg Bldg.
Burwell B. Wilkes
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903 Grand Blvd.
Norman C. Brewer
Box 411
J. G. Colson
Box 364
Charles Milton Deaton
Market St.
Box 411
Durward Gray Evans
Box 411
John J. Fraiser, Jr.
Courthouse
Joseph Clay Hamilton
201 E. Jefferson
W. M. Hamner
Old Bk. of Leflore Bldg.
Willie J. Heckler
1107 Mississippi Ave.
William F. Jones
111 Beatrice
Arthur Jordan
O. L. Kimbrough
Box 516
Elizabeth Gwin Kirschten
810 Grand Blvd.
Hardy Lott
Aven Bldg.
R. Cunliffe McBee
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Box 516
Pearl McLellan
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Gerald J. Montgomery
300 Lamar St.
Paul D. Montjoy
Box 921
W. H. Montjoy
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Yerger Morehead
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Box 674
H. Talbot Odom
Box 674

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Whittington Bldg.
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Richard L. Smith
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Harold C. Streibich
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Seth Wheatley, Jr.
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Box 941
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Fred Witty
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Bradford J. Dye
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E. J. Adam, Jr.
300 Hewes Bldg.
Robert B. Adam
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Frank W. Alexander
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816 E. Beach Blvd.
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Box 135
Bruce G. Cornell
3rd Floor Hewes Bldg.
David Cottrell, Jr.
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Wm. F. Dukes
5312 Quincey Ave.
Aubert C. Dunn
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James Samuel Eaton
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Medical Bldg.
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310-12 Hewes Bldg.
Box 142
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Charles R. Galloway
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203 Hardy Bldg.
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Gulf Nat'l. Bk. Bldg.
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Hewes Bldg.
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Federal Court
Webb M. Mize
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Hatten Bldg.
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Nancy Wood Morse
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Stanford E. Morse
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Owen T. Palmer, Jr.
2209 - 14th St.
Clayton Rand
The Dixie Press
Thomas N. Roberts, Jr.
Box 580
J. C. Ross
308-09 Hewes Bldg.
Box 178
Donald O. Simmons
Box 575
J. U. Simmons
Box 575
Upton Sisson
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Legion Bldg.
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American Legion Bldg.
Box 177
Robert L. Taylor
201 Hatten Bldg.
R. W. Thompson, Jr.
310 Gulf Nat'l Bk. Bldg.
Francis McRae Turner
Miss. Power Co.
Box 289
Harry G. Walker
Box 618, Sta. A

Knox W. Walker
1627 - 25th Ave.
Douglas Knox White
Abstract Bldg.
Neil W. White
Box 144
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Abstract Bldg.
Marguerite L. Williams
1805 - 19th St.

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209 Carter Bldg.
Robert E. Arrington
Box 22
Bruce C. Aultman
411 Carter Bldg.
Byron H. Baker
Box 801
Frank David Barber
Box 1209
Stone Deavours Barefield
Citizens Bank Bldg.
Jefferson C. Bell
Box 1125
Roy A. Bennett
325 W. 4th St.
Carl E. Berry, Jr.
501 Michael Bldg.
J. Lee Bilberry
Box 1390
M. D. Brett
Citizens Bank
Box 1071
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Miss. Southern College
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Carter Bldg.
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306 Magnolia State Bldg.
Dudley W. Conner
Conner Bldg.
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305 Bay St.
Henry K. Farmer
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Circuit Court
Judge William Haralson
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Box 244
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211 Chevy Chase Dr.
W. Arlington Jones
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Geiger Bldg.
Carl W. Kepper
617 Main St.
Marie P. Kepper
Box 135
Joe R. King
304-05 Citizens Bk. Bldg.
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Alvin N. London
James F. McKenzie
401 Ross Bldg.
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201-04 Carter Bldg.
J. Martin Mooney
Conner Bldg.
W. Pine St.
Alfred Moore
111½ E. Front St.
Box 95
C. M. Morgan, Jr.
Box 1333
Forrest M. Morris, Jr.
215 E. Front St.
Wm. H. Morrow
Box 567
Wm. V. Murry
204 Conner Bldg.
Paul M. Newton
517 Ross Bldg.
Mildred W. Norris
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307 Citizens Bank Bldg.
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Box 227
Claude F. Pittman, Jr.
Box 227
Homer Pittman
Box 227
Moran M. Pope, Jr.
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119 Front St.
Box 1148
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John Hillman Rogers
813 Crestview Dr.
Phillip Rolls
Box 1343
W. L. Shappley
Box 6
James Simrall, Jr.
411 Carter Bldg.
E. E. Staton
Box 54
Ben Stevens
316 Forrest St.
Box 1381
Joseph H. Stevens
Box 1643
Jack Stewart
Box 969
C. W. Sullivan
Box 1591
R. M. Sullivan
Box 6
T. Harris Sullivan
Ross Bldg.
Dan Gary Sutherland
401 Ross Bldg.
Box 1070
Joe Avery Thompson
Humble Oil & Rfg. Co.
Box 1368
J. Kearney Travis
Citizens Bank Bldg.
Drawer 590

Earle L. Wingo
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308½ Twelfth Ave.
Francis T. Zachary
206 Carter Bldg.

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Mrs. E. R. Arrington
Box 347
R. O. Arrington, Jr.
Box 347
Donald C. Cooley
Box 388
Judge J. F. Guynes
Chancellor
Harry O. Hoffman, Jr.
Bank of Hazlehurst Bldg.
Harris B. Henley
Box 509
W. S. Henley
Box 509
Carroll Kemp
Wilson Bldg.
Julius L. Lotterhos, Jr.
Box 509
Lena C. Zama
Box 108

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Boyce Lee Garner
F. C. Holmes, Jr.
H. Grady Johnston
R. F. B. Logan
Joel P. Walker, Jr.
Edward L. Whitten, Sr.
W. E. Wilroy
Box 5

HICKORY

W. M. Everett
Box 115
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HOLLANDALE

Paul N. Nunnery
Box 333

HOLLY SPRINGS

John W. Bryant, Jr.
Fred M. Bush, Jr.
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Robert P. Crutcher
Fant & Bush
Lt. Charles N. Dean
c/o Airlie Wood
Wall Doxey, Jr.
Lester G. Fant, Jr.
Sidney L. Hurdle
First State Bk. Bldg.
John Lloyd Kennedy
Doxey & Kennedy
George H. Rather
L. A. Smith, Jr.
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Fred E. Swaney
Van Dorn Ave.

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H. B. Abernethy
W. W. Brand
Box 128
Woodrow Wilson Brand, Jr.
Box 128
Jeff Busby
Box 123
Thomas B. Davis
432 S. Jackson St.
Armis E. Hawkins
C. H. McCraine, Jr.
Bobby Gene O'Barr
436 E. Madison

INDIANOLA

B. B. Allen
Richard M. Allen
Billy K. Chapman
125 Augusta St.
A. B. Clark
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Judge Arthur B. Clark, Jr.
Circuit Court
Edward Lionel Cook, Jr.
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Howard Q. Davis
Aaron M. Edwards
236 Sunflower Ave.
Hugh H. Lumpkin
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J. H. Price
David M. Quinn, Jr.
Box 172
G. P. Ritchey
128 Main St.
Oscar B. Townsend
202 - 2nd
Roger Lewis Tuttle
Box 229

ITTA BENA

Cleveland Davis
Box 98
Perry W. Morton
Box 82

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J. O. Clark
James Barry Finch
Box 335
J. D. Finch
Cecil Lamar Sumners
Harry M. Rhine

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William D. Adams
316 Boling St.
Lee B. Agnew
417½ E. Capitol
H. Chalmers Alexander
Century Bldg.
Chalmers W. Alexander
Box 291
James A. Alexander, Jr.
Box 977
Julian P. Alexander, Jr.
Box 1367
Paul G. Alexander
1847 Dep. Gty. Bk. Bldg.
William P. Alexander
Box 1284
Cecile Cambre Alford
1336 Olive St.
Sam S. Allred
Box 651
Lester Alvis, Jr.
3955 Berkley Dr.
Dan Raney Anders
Box 9035
Judge R. Olney Arrington
Asso. Justice, Supreme Ct.
New Capitol
B. Galloway Austin
247 E. Pascagoula
Ralph B. Avery
412 Plaza Bldg.
William A. Bacon
Box 15
Charles T. Barber
Box 1734
J. S. Barbour
Box 1818
Henry E. Barksdale
300 Lamar Life Bldg.
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414½ E. Capitol
Ross R. Barnett
Box 1288
Ross R. Barnett, Jr.
Box 1288
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Box 663
Stephen L. Beach, Jr.
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Loyd Lamar Beacham, Jr.
822 Plaza Bldg.
James A. Becker, Jr.
Box 650
John A. Bellan, Jr.
1012 First Nat'l. Bk. Bldg.
William H. Bennett, Jr.
Box 56
Walter Berry
c/o Cabell Electric Co.
Box 1199

Robert A. Biggs, Jr.
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Louis S. Bills, Jr.
All State Ins. Co.
Milner Bldg.
Richard A. Billups, Jr.
520 N. President
Alvin Binder
Box 9984
Walter R. Bivins
235 Cooper Rd.
Wm. P. Black
425 Vardaman St.
E. L. Bond
321 Sewanee Dr.
Grover L. Boone
Box 648
James A. Boone
Box 1269
Carl C. Bostic
200 S. President
Barnett Bldg.
M. P. Bouslog
Box 3032
Francis S. Bowling
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South Bldg.
R. H. Bowling
Barnett Bldg.
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2119 Alta Woods Blvd.
Ollie D. Brame
4645 Jiggitts Rd.
Audrey W. Brand
508 E. Capitol St.
S. M. Brand
508 E. Capitol St.
James R. Brannon
Box 4316, Fondren Sta.
Dan E. Breland
408 Lamar Life Bldg.
Box 1945
Kenneth M. Britt
1720 St. Mary
Harmon W. Broom
418½ E. Pearl St.
Box 1275
Rufus H. Broome
Pearl Drive
James E. Brown
5838 Canton Park Dr.
James T. Brown
Box 330
E. L. Brunini
Box 1213
Clifton E. Bryant
4250 Athens Dr.
Noel W. Buckley
606 First Federal
Cary E. Bufkin
Box 1172
James D. Buford
Box 1172
Robert Burns
Box 158
Jack C. Burrell
Box 1972
Charles W. Busby
509 Barnett Bldg.
Millard M. Bush
Box 9984
George H. Butler
Suite 900, Milner Bldg.
Wilton V. Byars
1617 Wilhurst St.
J. L. Byrd
1007-1010 Dep. Gty. Bk.
Bldg.
Box 157
Joseph B. Cadwallader
245 Sykes Rd.
Frank L. Calderala
425½ E. Capitol St.
T. Eugene Caldwell
509 Barnett Bldg.
Box 1704
Edwin T. Calhoun
720 N. Jefferson St.
King Hayes Callicutt
Box 1172
Robert C. Cannada
Suite 900, Milner Bldg.
Robert Taylor Carlisle
Box 1269
Charles A. Carter
Plaza Bldg.—Mezzanine
Wm. O. Carter, Jr.
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Hugh Craig Castle, Jr.
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Edward L. Cates
Box 158
Paul Chambers
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Box 157
Reynolds Cheney
Box 1666
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Box 157
W. M. Childress
513½ E. Capitol St.
Bernard W. N. Chill
Box 1482
Clifford C. Chittim
Box 427
Charles Clark
Lamar Bldg.
Box 158
G. C. Clark, Jr.
107 Electric Bldg.
H. M. Clark
308 First Federal Bldg.
Thurman L. Clark
4143 Carol Drive
William W. Clark
Rt. 3, Box 321
Neal Clement
104 Meadow Heights
Percy Clifton
1st Fed. S. & L. Bldg.
J. W. Cocke
1339 Dept. Gty. Bank Bldg.
Marvin A. Cohen
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Curtis E. Coker
Box 1084
James E. Cole
120 Springfield Ave.
Gov. J. P. Coleman
New Capitol
William F. Coleman
5634 Brentwood
Aline J. Collum
3724 N. State St.
M. E. Collum, Jr.
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James O. Conner
Box 504
A. S. Coody
776 North West St.
Henry D. Cook
1216 Raymond Road
Robert F. Cooper
Box 1450
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Hansell A. Courtney
709 Dep. Gty. Bank Bldg.
Frederick G. Cox, Jr.
Box 1363
Wm. Harold Cox
1229 Dep. Gty. Bank Bldg.
John A. Craig
Box 651
Rufus Creekmore
822-25 Plaza Bldg.
Wade H. Creekmore
Pub. Service Commission
1105 Woolfolk Bldg.
Alfred N. Crisler
431 Tombigbee, Court Sq.
South Bldg.
Bert Crisler
311 Dep. Gty. Bk. Bldg.
Charles W. Crisler, Jr.
431 Tombigbee, Court Sq.
South Bldg.
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Earl R. Cruthirds
Box 1947
E. Hugh Cunningham
Box 1593
Joe H. Daniel
Box 1084
R. A. Darden
644 Choctaw Rd.
Thomas Edwin Davidson
Box 663
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308 First Fed. S. & L.
Bldg.

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4243 Meadowland Dr.
H. G. Deterly
236 Mt. Vernon St.
R. R. Dinsmore
Chief Attorney
Veteran's Administration
J. Hubern Dodd
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Colbert Dudley
1125 Grand Ave.
Vardaman S. Dunn
Plaza Bldg.
P. H. Eager, Jr.
Plaza Bldg.
Lynel C. Echols
709 Dep. Gty. Bk. Bldg.
Henry Edmonds
Box 481
Allan T. Edwards
707 Plaza Bldg.
E. Ray Edwards
Box 427
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4680 Londonderry Dr.
Lura Clark Ethridge
720 North St.
Judge W. N. Ethridge, Jr.
Asso. Justice
Supreme Court
William D. Evans, Jr.
202½ W. Capitol St.
Jack H. Ewing
Box 1467
Goldie Jane Feldman
900 Lamar Life Bldg.
Bethel Ferguson
Miss. Power & Light
Grey Flowers
Box 2022
Henry Grady Flowers
Box 609
Louis Fondren
Box 663
W. B. Fontaine
1623 Dep. Gty. Bk. Bldg.
Aaron L. Ford
609 Plaza Bldg.
John D. Fournet
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John H. Fox, III
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Lawrence C. Franklin
930 Milner Bldg.
Lester C. Franklin, Jr.
Asst. Atty-General
New Capitol
Kenneth I. Franks
1012 First Nat'l Bk. Bldg.
D. K. Galtney
3920 Oaklawn Dr.
Thomas B. Gambrell
Box 1661
Martha Gerald
Box 158
D. A. Gill
Box 2532
Judge R. G. Gillespie
Asso. Justice, Supreme
Court
New Capitol
William F. Goodman
Box 650
Charles M. Gordon
1219 Dep. Gty. Bk. Bldg.
Luther E. Gordon
1070 Buckley Dr.
W. E. Gore
Box 186
Weaver E. Gore, Jr.
Box 186
Robert Louis Goza, Jr.
Box 326
Robert S. Graham
Box 1841
Brelon E. Grantham, Jr.
Box 1773
R. Gordon Grantham
1430 First Nat'l Bk. Bldg.
Charles L. Graves
101½ E. Griffifth
Elizazbeth W. Grayson
Plaza Bldg.
John E. Gregg
3981 Council Circle
Garner W. Green
Box 1666
Garner W. Green, Jr.
Box 1666
Joshua Green
Box 1666
J. R. Griffin
Asst. Atty. General
New Capitol
John M. Grower
Box 1312
Carl E. Guernsey
Box 326
Claude W. Guice
4313 Ridewood Rd.
Charles C. Hairston
Box 1269
Doric D. Hakes
209 Wilshire Dr.
Carsie Hall
538½ N. Farish St.
Judge Lee D. Hall
Asso. Justice Supreme Ct.
New Capitol
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305 Dunbar
Lowell D. Hamilton
Box 899
Richard B. Hamilton
Box 936
Robert B. Hamilton
Box 444
W. Jeff Hamm
c/o Lyle Cashion Co.
Box 4567
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James Elbert Hardin
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Standard Life Bldg.
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1606 Lockwood Ave.
Matthew Harper
Asst. Atty-Gen.
New Capitol
David A. Harris
1702 Devine St.
William R. Harris
Box 1269
Robert W. Hartford
Box 2103
Robert E. Hauberg
Box 2091
George Ben Hawkins
Box 4714
Jay Homer Hedgepeth
Box 1467
T. H. Hedgepeth
Box 1467
Cecil F. Heidelberg, Jr.
1012 First Nat'l Bank
Bldg.
Judge Leon F. Hendrick
Box 1473
Judge Charles B. Henley
Box 326
George P. Hewes, III
Box 1213
William Leon Higgs
Box 326
John T. Hill
1363 Belvoir
Wiley C. Hill
1405 Standard Life Bldg.
Clarence H. Holland
Box 53
Edwin R. Holmes, Jr.
Box 2091
Judge James G. Holmes
Associate Justice Supreme
Court
New Capitol
Hugh Sam Hopkins
1101 Plaza Bldg.
Frank C. Horton
Box 1084
Judge W. T. Horton
1001 Monroe St.
James R. Houston
Box 945
Homer Lee Howie
161 E. Pearl St.

Joseph H. Howie
Box 724
Theodore G. Huffman
513 Launcelot Rd.
Joe Jack Hurst
Lamar Bldg.
Box 158
Harvey H. Hutchins
Box 904
Cecil E. Inman, Jr.
Plaza Bldg.
Forrest B. Jackson
Box 124
Paul L. James
Box 1941
Edward O. Johnson, Jr.
1012 First Nat'l. Bk. Bldg.
W. Roderick Johnson
Box 896
Barrett Jones
Box 1697
Bernard M. Jones
Box 8566, Sta. D
Shirley N. Jones
Mezzanine Suite
Plaza Building
W. Roger Jones
Box 326
John T. Kabbes
Box 1818
James E. Kemp
Box 651
Henry M. Kendall
Box 330
James T. Kendall
1219 Dep. Gty. Bank Bldg.
Thomas I. Kent
2310 Belvedere Dr.
Box 10087, N. Side Sta.
Earl Keyes
Box 1381
Frank C. Kimbrell
410 Lamar Bldg.
Robert W. King
202 Baptist Book Store
Bldg.
S. R. King
425½ E. Capitol St.
James D. Kirby
Illinois Central R. R.
John M. Kuykendall, Jr.
Dep. Gty. Bank Bldg.
Judge John W. Kyle
Associate Justice Supreme
Court
New Capitol
Boyd Ernest Kynard
Box 8525
Ernest Edward Laird, Jr.
First National Bank
Bonner R. Landman
Dep. Gty. Bank Bldg.
Box 661
Ralph Landrum
Box 141
Roger C. Landrum
Box 141
Dan M. Lee
202 Lamar Life Bldg.
Judge Percy M. Lee, Sr.
Associate Justice Supreme
Court
New Capitol
Robert M. Lee
136 E. Griffith
Meyer A. Lewis, Jr.
1847 Dep. Gty. Bk. Bldg.
H. Lee Lindsey
3960 Nassau St.
Hubert Lipscomb
Lamar Bldg.
W. Baldwin Lloyd
1819 Dep. Gty. Bank Bldg.
Carl F. Loerke
228 Sewanee Drive
L. H. Long
1727 St. Ann St.
Fred Lotterhos, Jr.
Box 1084
Jack H. Lucas
951 N. Jefferson
Warren V. Ludlam, Jr.
Box 427
G. Garland Lyell, Jr.
Box 220
G. Garland Lyell
Plaza Bldg.
Box 568
Louis J. Lyell
Box 1817
Beryl Frank Madole
Box 1817
Abbey W. Magruder, Jr.
Box 1490
Otho Magee
1942 Wingfield Circle
Frank E. Magill
Box 1972
Robert S. Major, Jr.
144 Woodsia Lane
Thomas J. Mallette
579 Witsell Road
John P. Maloney
Box 330
Lee Mansell
Box 583
Roland D. Marble
Box 158
G. L. Martin
222 Duncan St.
Willis T. Matthews
Box 995
Walter Dent May
Box 42
B. B. McClendon
Suite 603, Dep. Gty. Bank
Bldg.
B. B. McClendon, Jr.
603 Dep. Gty. Bk. Bldg.
George T. McClintock
414½ E. Capitol St.
Nolan McCoy
4305 South Dr.
A. B. McCraw
1922 Belvedere Dr.
Dan McCullen
Suite 900, Milner Bldg.
John L. McDavid
Box 326
Sylvia S. McDavid
760 Lakeland Dr.
Apt. 8-D
Jack McDill
Box 2091
Ewell J. McDonald
Box 1086
Judge Harvey McGehee
Chief Justice Supreme
Court
New Capitol
Judge M. M. McGowan
Circuit Court
Miles Curtis McKee
Plaza Bldg.
Curtis W. McKewen
Box 385
Dale H. McKibben
612 Barnett Bldg.
Wm. Edward McKinley
956 Haynes St.
Robert S. McLaurin, Jr.
4550 Normandy Dr.
Martin R. McLendon
Asst. Atty-Gen.
New Capitol
Clois E. McMullan
Apt. 45-C
Raymond Garden Apts.
Raymond Road
George K. McMullan
4750 Clinton Rd.
Fred P. McRae
745 Gardner St.
Rex McRaney
Miss. Game & Fish
Commission
Box 451
Claude E. McRoberts, Jr.
Box 1467
George D. Meek
619 Mohawk Ave.
Harold Dewey Miller, Jr.
Box 141
Claude Milstead
4857 Windemere Terrace
Milton H. Mitchell
Box 158
Edmund W. Montgomery, II
Box 724

Malcolm B. Montgomery
414½ E. Capitol St.
Edward D. Moore
Box 10087 N. Side Sta.
Russell D. Moore, III
Box 807
Wm. Sebastian Moore
Southern Bond Co.
101 Plaza Bldg.
Dan W. Morse
601 Plaza Bldg.
William E. Morse
602 Plaza Bldg.
Adrian E. Mullen
2237 First Ave.
Donald E. Mullen
2237 First Ave.
Thomas Earl Mullen
Box 2026
Carl D. Mullican, Jr.
c/o Miss. P. & L. Co.
Electric Bldg.
George S. Neal, Jr.
Box 945
William H. Neely
Box 78
William T. Neely
Box 17
A. M. Nelson
Box 1072
Alice Nevels
Secretary Miss State Bar
Box 1032
Hugo Newcomb
Box 959
W. R. Newman, Jr.
Standard Life Bldg.
Robert G. Nichols, Jr.
Box 1526
Charles R. Nix
1512 Central St.
Wayne L. Nix
Box 1261
Judge George R. Nobles
City Judge
Linton D. North
5427 Queen Mary Lane
Junior O'Mara
Suite 900, Milner Bldg.
N. W. Overstreet, Jr.
Dep. Gty. Bk. Bldg.
Harry D. Owen
Box 3499
H. S. Owens
Standard Oil Co.
Box 221
Joe T. Patterson
Attorney General
New Capitol
W. R. Patterson
410 Barnett Bldg.
Mary Elizabeth Payne
Box 326
Thomas B. Payne
4794 Kings Highway
George Dudley Pearce
505 Avalon
John Lamar Penny
313 Wacaster St.
Kenneth Giles Perry
Box 1172
Robert E. Perry
Box 961
M. J. Peterson
Box 4547
Rubel L. Phillips
Box 961
William R. Phillips
417 Barnett Bldg.
Robert Boyd Pickens, Jr.
Box 896
W. W. Pierce
860 Milner Bldg.
Box 1261
M. A. Pilgrim
341 Segura Ave.
John R. Poole
417½ E. Capitol
J. H. Price, Jr.
Asst. Atty-General
New Capitol
Lee V. Prisock
417½ E. Capitol St.
R. A. Pritchard
The California Co.
Box 822
Ralph D. Pruett, Jr.
1833 Enterprise St.
R. L. Purser
1300 N. President St.
John M. Putnam
412 Plaza Bldg.
L. Arnold Pyle
Box 427
Dixon Pyles
507½ E. Pearl St.
Percy L. Quinn
210 Century Bldg.
Bob Ray
300 Lamar Life Bldg.
W. C. Reed, Jr.
Room 209
100 East Pearl Bldg.
Julius T. Reynolds, Jr.
Suite 1433, First Nat'l.
Bk. Bldg.
John Sivley Rhodes
502 - 1st Fed. Svgs. &
Loan Bldg.
Charles C. Richmond
Box 1269
Barron C. Ricketts
306 Dep. Gty. Bank Bldg.
C. R. Ridgeway
Box 187
Wm. B. Ridgeway
Box 187
Jack L. Ritter
714 Witsell St.
W. E. Robbins
196 Kolb St.
Box 1831
Judge W. G. Roberds
Associate Justice Supreme
Court
New Capitol
Judge Stokes Robertson, Jr.
Box 1947
Sidney A. Robinson, Jr.
Box 920
Richard C. Rogers
Box 1653
Shelby R. Rogers
Plaza Bldg.
Howard C. Ross, Jr.
431 Tombigbee, Court
Sq., South Bldg.
Abe A. Rotwein
501 Barnett Bldg.
Roderick S. Russ, Jr.
3726 Crane Blvd.
David L. Sadler
Box 9634, Northside Sta.
Clarence R. Scales
1107 Dep. Gty. Bank Bldg.
Box 1176
Jeanne Scales
1107 Dep. Gty. Bank Bldg.
Box 1176
Jewelle Scales
202½ W. Capitol
L. J. Scanlon
Box 1834
Charlie Scott
1st Fed. Svgs. & Loan Bldg.
Box 1818
Tom B. Scott, Jr.
Box 1818
E. G. Scott
1st Fed Svgs. & Loan Bldg.
Box 1818
Will P. Searcy
512 George St.
Clanton M. Seay
Box 1136
George E. Shaw
Century Bldg.
George E. Shaw, Jr.
Century Bldg.
Dan H. Shell
Box 1172
Ernest L. Shelton
712 Plaza Bldg.
L. Leon Shelton
242½ E. Capitol
N. R. Shoemaker
Box 586
Walter L. Shows
Box 850
William Harry Siston
State Insurance Dept.
Box 79
J. E. Skinner
839 Dep. Gty. Bank Bldg.

Kennon R. Smith
Box 286
L. O. Smith, Jr.
1214 First Nat'l. Bank Bldg.
Box 515
Neal Smith
Box 1524
Stone M. Smith
Box 1729
Sydney A. Smith
1007 Dep. Gty. Bank Bldg.
Box 157
W. C. Smith
Box 896
Charles B. Snow
Suite 900, Milner Bldg.
Lee R. Spence
Box 1200
Ernest O. Spencer, Jr.
Walthall Hotel
James L. Spencer
523 Plaza Blldg.
R. L. Stainton
Box 4391
R. Horace Steele
Box 1200
E. W. Stennett
412 Barnett Bldg.
J. C. Stennett
412 Barnett Bldg.
Lowell F. Stephens
Box 1200
Francis B. Stevens
Suite 900, Milner Bldg.
Phineas Stevens
Suite 900, Milner Bldg.
Colin Leroy Stockdale
306-07 - 1st Fed. Svgs. & Loan Bldg.
John E. Stone
4212 Brookdale
Richard B. Stovall
603½ E. Fortification
Harvey L. Strayhan
Box 1269
F. K. Stribling
417 Barnett Bldg.
V. J. Stricker, Jr.
606-07 - 1st Fed. Svgs. & Loan Bldg.
Lee A. Stricklin, Jr.
Box 1123
A. C. Stringer
Box 900
H. C. Stringer
Route 5, Box 61
Terry Road
Quentin Stringer
328 Audubon Pl.
W. E. Suddath, Jr.
Plaza Bldg.
A. W. Sullivan, Jr.
1618 Lockwood
C. Arthur Sullivan
Box 1381
John C. Sullivan
970 Milner Bldg.
Judge A. F. Summer
Box 686
J .H. Sumrall
1320 Poplar Blvd.
Valentine Surgis
850½ Fairview St.
Thomas M. Tann
Box 1505
O. B. Taylor
Box 896
O. B. Taylor, Jr.
Box 896
Rowan H. Taylor
Box 896
Swep S. Taylor
Box 912
Scott Tennyson
1012 1st Nat'l Bk. Bldg.
Sidney R. Tharp
706½ N. Farish St.
Earl T. Thomas
Lamar Life Bldg.
Box 158
Allen C. Thompson
City Hall
Fulton Thompson
118 N. Congress
J. W. Thompson
209 Lamar Bldg.
Box 2002
Robert H. Thompson
118 N. Congress St.
Bernard L. Tighe, Jr.
416 Plaza Bldg.
Bowman Stirling Tighe
416 Plaza Bldg.
E. B. Todd
429 Tombigbee
Court Square
John Edward Tracy
129 Country Club Dr.
R. C. Trainor
926 Poplar Blvd.
Cecil F. Travis
Box 995
John A. Travis, Jr.
Box 807
Betty Bartee Tucker
507½ E. Pearl St.
Felix J. Underwood, Jr.
Box 648
Robert W. Upchurch
2623 Clinton Ave.
Zack J. Van Landingham
State Sovereignty Comm.
New Capitol
Carl G. Wallace
204 Barnett Bldg.
Box 1947
William L. Waller
Box 1261
Ben H. Walley
572 Wellington Rd.
O. B. Walton, Jr.
1600 Eastover Dr.
F. A. Ward
238 Texas Ave.
H. V. Watkins
Box 427
Thomas H. Watkins
Plaza Bldg.
J. Raiford Watson
Box 2472
Robert H. Weaver
Box 427
Calvin L. Wells
Lamar Bldg.
Box 158
Erskine W. Wells
Box 158
W. Calvin Wells, Jr.
Lamar Life Bldg.
Box 158
W. Calvin Wells, III
Lamar Life Bldg.
Box 158
Will S. Wells
404 First Federal Bldg.
John A. Welsch, Jr.
Box 1213
John M. Weston
Box 1224
John Harold White, Jr.
107 Electric Bldg.
Gene Arlen Wilkinson
219 Sheppard Rd.
Frank T. Williams
Box 1172
Earl R. Wilson
1313 Dep. Gty. Bank Bldg.
Edmund A. Wilson
706 Millsaps Bldg.
James M. Wilson
Box 8487
Sherwood W. Wise
Box 157
George F. Woodliff
1012 First Nat'l Bank Building
Thomas H. Woodrow
306 Fair Court
Fielding L. Wright, Jr.
Box 849
William G. Wright
The Texas Co.
Standard Life Bldg.
L. A. Wyatt
Millsaps Bldg.
William Swan Yerger
919 Electric Bldg.
Frank M. Youngblood
Box 2009
James L. Young
Box 1084
J. Will Young, Jr.
Box 1084

Jack H. Young
Suite 207-08, Redmond Bldg.
115½ N. Farish St.

KOSCIUSKO

Joe Frank Allen
Box 550
John F. Allen
Box 550
John Percy Allen
Box 550
William Dixon Brooks
Box 827
Aaron S. Condon
Box 709
David E. Crawley, Jr.
Crawley Bldg.
James T. Crawley, Jr.
Box 827
Wm. Reynolds Ford
Crawley Bldg.
D. H. Glass
Box 746
John Davis Guyton
Box 590
Chatwin M. Jackson, Jr.
Box 189
John Clark Love
Alton Massey
Box 189
C. E. Morgan
Merchants & Farmers Bk.
126 W. Washington St.
Clarence E. Morgan, Jr.
Box 348
G. J. Thornton
Harold W. Williams
517 Lucas St.
Claude Jackson Woodward
Doty Bldg.

LAMBERT

Walter E. Dreaden, Jr.
P. O. Box 215
Hoke Stone
Van D. Stone

LAUREL

E. R. Alley
Box 106
J. L. Austin
Box 121
W. A. Beard, Jr.
First Nat'l Bank Bldg.
E. C. Bonney
Masonite Corp.
Box 967
M. W. Boyd
Box 111
William S. Boyd, Jr.
Box 554
Harvey Breazeale, Jr.
c/o Masonite Corp.
Ronald C. Brown
Box 171
James R. Buchanan
First Nat'l Bank Bldg.
Box 230
Kenneth E. Bullock
c/o Boyd & Holifield
Box 726
Lampkin H. Butts
Box 196
J. Edwin Campbell
Box 584
Ralph P. Campbell
Box 638
B. F. Carter
Norman Bldg.
Judge Lunsford Casey
Courthouse
John Shannon Clark
Box 2008 - Choctaw Sta.
Elson K. Collins
Box 732
F. B. Collins
308 Wallace Bldg.
Jeff Collins
Norman Bldg.
Edwin Phillips Connolly
Box 527
William M. Deavours
Box 106
Grover Doggette
Manhatten Bldg.
Herbert H. Dyke
Masonite Corp.
Albert E. Easterling, Jr.
517½ Central Ave.
C. C. Evans
Highway 84 E.
Carroll Gartin
Lieutenant-Governor
C. Denton Gibbes, Jr.
Box 2008, Choctaw Sta.
Stewart J. Gilchrist
409 First Nat'l Bk Bldg.
Ernest W. Graves
Box 2008, Choctaw Sta.
James D. Hester
Box 713
Thomas J. Holifield
202 Morris Bldg.
Harry E. Koch
First Nat'l Bank Bldg.
Donald G. Kruger
202 Morris Bldg.
Roy C. Kuyrkendall, Jr.
Box 183
Joe W. Magee
Box 571
George D. Maxey
O'Ferrall Bldg.
Harold Waits Melvin
Embrey Bldg.
L. B. Melvin
Box 1061
Leonard B. Melvin, Jr.
Box 1061
Harry A. Mitman
c/o Masonite Corp.
Judge Goode Montgomery, Jr.
County Court
Box 230
H. C. Moynihan
519½ Central Ave.
Judge Roy P. Noble
Chancellor
Wm. Harold Odom
Box 354
Larry A. Pacific
Kalmia Bldg.
Samuel V. Pack
First Nat'l Bk. Bldg.
Kalford C. Ratcliff
203 First Nat'l Bldg.
Robert Lee Ridley
733 Fifth Ave.
Quitman Ross
First Nat'l Bank Bldg.
A. S. Scott
Box 403
Andrew S. Scott, Jr.
Box 403
Philip E. Stevens
Box 475
Pershing B. Sullivan
Box 1105
Paul G. Swartzfager
Box 121
Philip M. Swartzfager
Box 121
Lowell W. Tew
Box 2008, Choctaw Sta.
C. H. Walker
Box 638
Guy M. Walker
Box 2098
Choctaw Sta.
Milton B. Weems
Box 106
David C. Welch
Box 2008
Choctaw Sta.

LELAND

D. Hilton Waits
Box 128
Wm. B. Waits
Box 128
Taylor Webb
Box 414

LEXINGTON

Pat M. Barrett
Joseph E. Berman
H. H. Johnson
P. P. Lindholm
G. H. McMorrough
D. T. Ruff
H. Edwin White
208 Court Square
Parham H. Williams, Jr.
Box 358

LIBERTY

T. F. Badon
Box 21
C. T. Gordon
Joe D. Gordon
Box 115
Kenneth Gordon
Box 373
F. W. Stratton
Box 38

LONG BEACH

George W. Allen
137 Beach Park Ave.
Pete H. Carrubba
Box 1760
Joseph B. Mackey
Box 250

LOUISVILLE

R. W. Boydstun
Box 342
R. W. Boydstun, Jr.
Box 342
Charles D. Fair
J. Hoy Hathorn
Masonic Bldg.
Edward M. Livingston
Neal Prisock
Frank L. Reich
Box 412
Judge Henry L. Rodgers
Circuit Court
Burris Olen Smith
Box 328
Harold G. Stringer
W. A. Strong, Jr.
Box 328

LUCEDALE

William Thames Bailey
H. M. Hunter
Route 1
Maurice L. Malone
Box 228
Darwin M. Maples
J. O. Moss
Williams S. Murphy
Hugh G. Rowland
Box 547

MACON

E. H. Britton
Ernest L. Brown
W. B. Lucas
L. L. Martin
John Alton Phillips
J. P. Stennis

MAGEE

Immanuel Beeching
Box 693
T. M. Bishop
Box 523
L. R. Floyd
Billy C. Little
A. W. McRaney
R. C. Russell

MAGNOLIA

O. W. Phillips
225 East Bay St.
Robert S. Reeves
Box 508
Billy Dan Statham
Simmons Bldg.

MARKS

E. C. Black
Ben M. Caldwell
W. A. Cox
P. L. Denton
Ney M. Gore, Jr.
T. N. Gore
Lomax B. Lamb, Jr.
Eugene Thompson

McCOMB

Louis Alford
Box 8
Milton F. Anton
329 Michigan Ave.
Robert White Brumfield
Box 1097
John B. Ewing
Box 599
Norman B. Gillis, Jr.
Box 534
Alton H. Harvey
308 Burke St.
Judge F. D. Hewitt
Chancellor
Bert H. Jones
Brent Bldg.
L. S. McClaren
Box 201
Gerald M. McMillan
Box 1013
Joe N. Pigott
Box 940
Kenneth G. Price
231 Burke St.
R. B. Reeves, Jr.
Woolworth Bldg.
Box 1097
J. Gordon Roach
Brent Bldg.
H. E. Ross, Jr.
421 Louisiana Ave.
Judge Hansford L. Simmons
Laverne A. Varnado
Box 1055
Thomas E. White
220½ Main St.
Box 731
William A. Wiltshire
Box 1061

McLAIN

Curtis V. Breland
Box 158

MEADVILLE

C. F. Cowart
L. L. Forman
Charles H. Herring
Box 265
W. Wilson Hewitt
Dan R. McGehee
H. B. Mayes McGehee
Judge James A. Torrey
Circuit Court
Sanferd P. Torrey

MENDENHALL

Thomas B. Alexander
A. K. Edwards
Box 66
George B. Grubbs
Box 217
T. H. Sullivan, Jr.
Box 243
James B. Sykes
Box 451
J. W. Walker
Box 37
C. S. Whitfield
Box 654

MERIDIAN

J. P. Abston
207-09 Lamar Bldg.
Box 1952
Gerald Adams
Threefoot Bldg.
Brad B. Bailey
2314 - 17th St.
L. D. Beard
207-09 Lamar Bldg.
Melvin B. Bishop
U. S. District Court
P. O. Bldg.
Thomas D. Bourdeaux
Box 2009
Albert S. Bozeman
304 Lamar Bldg.
A. S. Bozeman, Jr.
304 Lamar Bldg.
Frank J. Buchanan
U.S.F. & G. Bldg.
Box 711
Sam O. Buckley
202 Shields Bldg.
James A. Burns
2513 - 5th St.
Paul M. Busby
Rm. 214, Courthouse
Judge Ben F. Cameron
1205 Threefoot Bldg.
Charles B. Cameron
Suite 407
Citizens Nat'l Bank Bldg.

Overton W. Cameron
Box 888
Natie P. Caraway
Box 707
Edwin K. Clayton
Box 711
W. L. Clayton
1513 - 25th St.
Robert Daniel Coit
300 Rosenbaum Bldg.
Ross A. Collins
602 Citizens Nat'l Bank Bldg.
Wm. Bond Compton
Box 845
Lyle V. Corey
Box 1413
Oliver Wendell Cosey
2308 - 20th Ave.
J. A. Covington, Jr.
Threefoot Bldg.
Box 786
Harold Gillespie Crain
Box 804
Maxine B. Crain
Box 804
Dal Macknight Crenshaw
R.F.D. No. 6
Marion - Russell Rd.
Robert H. Crook
Box 289
Robert B. Deen, Jr.
Box 888
William S. Dickson
U. S. F. & G.
Box 711
Edwin A. Dunn
Threefoot Bldg.
J. Thomas Dunn
Threefoot Bldg.
Walter W. Eppes, Jr.
Box 1445
Geo. M. Ethridge, Jr.
305-07 Lamar Bldg.
J. C. Floyd
14th Flr., Threefoot Bldg.
Box 888
G. Rayner Gaillard
300 Rosenbaum Bldg.
Cecil E. Gantt
Box 449
V. W. Gilbert
407 Citizens Nat'l Bank Bldg.
Champ C. Gipson
Box 804
Judge J. Ray Gipson
Box 442
J. V. Gipson
Box 804
Thomas L. Goldman
407 Lamar Bldg.
Box 1501
Jesse H. Graham, Jr.
2100 - 29th Ave.
Judge William J. Gunn, Jr.
Box 222
John M. Harmon
Box 1443
Robert Hunter Harmon
Threefoot Bldg.
Box 711
J. E. Harwell
Box 1987
Gilbert F. Heinbaugh
3615 - 26th St.
Thomas M. Hendricks, Jr.
3136 - 16th Ave.
Forrest E. Holder
2018 - 24th Ave.
Thomas K. Holyfield
308-09 Lamar Bldg.
J. Knox Huff, Jr.
300 Rosenbaum Bldg.
Philip D. Hughes
Box 1468
Alvis C. Johnson
Box 824
Granville P. Jones
Box 1562
S. B. T. Jones, Jr.
Box 711
Thomas Richmond Jones, Jr.
305-07 Lamar Bldg.
Maurice F. Kahlmus
Box 1402
Lee G. Kirk
Box 1322
Betty Jane Long
917 Threefoot Bldg.
Richard Guy Lord
Citizens Nat'l Bk. Bldg.
Box 965
M. V. B. Miller
Box 849
Thomas Y. Minniece
305-07 Lamar Bldg.
S. R. Nettles
903 - 31st Ave.
Judge Wm. De B. Neville
Chancellor
John J. O'Brien
3807 - 5th St.
Howard R. Pigford
Box 1501
Claude L. Pitts
300 Rosenbaum Bldg.
John Leslie Prichard
Box 888
Lawrence W. Rabb
Box 2142
Donovan Ready, Jr.
629 - 25th Ave.
Box 1550
William Emmett Ready
Box 1550
Fred M. Rogers
1823 - 35th St.
Margaret E. Rogers
310 Pigford Bldg.
Box 984
Fred A. Ross
Box 1149
Daniel P. Self, Jr.
Box 449
C. D. Shields
Box 367
Roger B. Shows
Box 786
James F. Shumate, Jr.
Box 1445
James Taylor Singley
Threefoot Bldg.
LaValle Smith
Rosenbaum Bldg.
E. L. Snow
First Nat'l Bank Bldg.
Box 786
Mrs. E. L. St. Germain
2104 - 14th St.
E. Donald Strange
909 Threefoot Bldg.
Ernest T. Strange
909 Threefoot Bldg.
DeQuincy V. Sutton
Threefoot Bldg.
W. A. Temple
Box 1641
Robert L. Tinsley, Jr.
Box 1327
J. M. Travis
Box 682
Thomas R. Ward
Rosenbaum Bldg.
George D. Warner, Jr.
Box 449
Homer C. Watkins
Box 1952
Thomas K. Watts
Box 786
Harley A. Weeks, Jr.
Box 221
J. C. Wilbourn
Citizens Nat'l Bank Bldg.
Box 965
J. Pat Wiley
Box 804
James David Williams
Box 965
Marvin Williams, Jr.
300 Rosenbaum Bldg.
Donald W. Williamson
Box 425
Lester F. Williamson
Box 86
N. S. Williamson
Box 86
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